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ABSTRACT

The report examines the characteristics of children (primarily between the ages of 6 and 17 years) placed in 42 New Jersey detention facilities, juveniles in need of supervision (JINS) shelters, and children's shelters: and provides descriptive information and analysis on the programs, policies, and budgets of these "temporary" residences. An introductory chapter briefly reviews the New Jersey system of shelter and detention centers, and explains that questionnaires mailed to 42 facilities gathered information in three categories (daily census, annual admissions, and services and staff). Chapter 2 examines national issues and policies, and gives an indepth description of the system of detention and shelter care, including legal definitions, facility descriptions, criteria for placement, and the role of agencies charged with monitoring and inspecting the facilities. Based on data provided from the 42 facilities surveyed, the third chapter provides statistics and characteristics of the types of children placed in temporary care. Chapters 4 and 5 focus on the experiences of and services to children in detention and shelter care; while Chapter 6 reports the costs of a temporary care system. A final chapter gives an overview of findings which include that despite the fact that many children had serious educational deficits and histories of school failure, some programs provided an hour or less of instruction per day while others had voluntary attendance policies. Among appendixes are a sample statewide survey questionnaire; a list of New Jersey detention facilities, JINS shelters, and childrens shelters; and a copy of New Jersey's Juvenile Code. (SBH)

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CHILDREN IN DETENTION AND SHELTER CARE

SURVEYING THE SYSTEM IN NEW JERSEY

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FOREWORD

Despite the importance of the Shelter and Detention facilities as a form of institutional care and the heavy expense borne by local taxpayers, very little attention has been paid to examining this system and its implications for short term and long range placement of children. This is due in part to the fact that very little information was available about these facilities and the children they served due to the decentralized nature of the system. Responsibility and authority for Shelter and Detention programs have been diffused among 21 counties and three state agencies: the Department of Corrections, DYFS, and until recently, the JINS Task Force. Because of the autonomy of the local government units and the failure to vest overall authority in any of state governmental unit, it has been difficult for any state agency to gather and compile data on the overall system. Until its dissolution in 1978, the JINS Task Force did prepare reports and compile statistical information on the newly-emerging JINS Shelters. The Task Force has also prepared a major report on the impact of the juvenile code which contains a wealth of data on youngsters involved in the juvenile justice system.[1] However, none of the information specifically addressed itself to looking at the population of youngsters in the total system of temporary care and the impact of the programs and policies of these facilities. This information is essential in order to assess what types of services are needed for children coming into care and work toward reducing inappropriate use of these facilities.

This is the first of two reports which will examine the characteristics of children placed in 42 Detention facilities, JINS Shelters and Childrens Shelters throughout New Jersey and provide descriptive information and analysis on the programs, policies and budgets of these "temporary" residences.

The initial report, which draws on information supplied by the facilities themselves, is designed to offer a general overview on the children and the system. The second report will provide a more detailed picture of the youngsters and their experience in Detention and Shelter care based on a review and analysis of case records of 544 youngsters.

PREFACE

This unique study of children in Detention and Shelter facilities and the programs and policies of those facilities was conducted under a special grant from the State Law Enforcement Planning Agency (SLEPA) to Union County with federal funding from the Law Enforcement Assistance Administration.

This project could never have been conducted without the cooperation and assistance of many individuals and organizations across the state.

We are deeply appreciative of the support given to this project by the Honorable Richard J. Hughes, Chief Justice of the New Jersey Supreme Court, and the Honorable Arthur J. Simpson, Acting Administrative Director of the Courts, who granted approval for the project.

We also wish to thank Joseph DeJames, former Director of the Task Force on the Juvenile Code and current Director of the Juvenile Detention and Monitoring Unit in the Department of Corrections who gave us the benefit of his extensive knowledge at every stage of the process. Susan Roth, Educational Consultant for the Department of Corrections and Dale Dannefer, former Research Coordinator for the JINS Task Force, were also helpful in providing us with background information on the workings of the system. We wish to give particular thanks to Dr. Paul Lerman of Rutgers Graduate School of Social Work, who provided the initial inspiration for the project and guided us along the way.

Student interns and volunteers played an important role in this project. Patricia Petillo, a graduate student at Rutgers Graduate School of Social Work, conducted the background research and wrote portions of the original proposal which was sent to SLEPA. Sandy Lybeck, also a Rutgers graduate student, helped to shape the direction of the project and assisted in gathering background information. Susan Weisbrot and Karen Esposito, two undergraduate students from Montclair State College, assisted in the literature review and coding. Bonnie Schwebel volunteered her time and helped us obtain data from a detention facility. Our ace volunteer was Barbara Kelley, who cheerfully devoted many hours during every phase of the project.

We also wish to thank the staff of the Office of Child Advocacy in the Public Advocate's Office who cooperated in every possible way with the project and gave us invaluable advice about the legal complexities of the system.

The secretary for the project, Moira Molatch, was invaluable. She typed the survey instruments, numerous tables, charts and graphs flawlessly. Fran Ruggiero and Carol DeFrank of the Association for Children of New Jersey (ACNJ) staff deserve much appreciation for their work in typing the final report. We are also grateful to Ciro Scalera, ACNJ Staff Associate, for his background research and writing on Chapter Two.

We wish to thank the members of the Board of Trustees of ACNJ who provided direction to the project staff and took considerable time and effort in commenting on various drafts of this report.

The two full-time project staff members, Joan Hammond Brame, Research Associate and Perry Yuen, Research Assistant, should be commended for the endless hours they have spent in extricating information about the facilities and the children they serve and putting it into a coherent format. Ken Stevenson, Senior Staff Associate at ACNJ deserves thanks for his work on Chapter Six.

Judy Bennett-Keating, ACNJ Administrative Assistant should be congratulated for her expertise in handling the fiscal operations of the project and her invaluable assistance in coordinating activities on the final report.

Finally, I wish to point out that the views expressed in this report are those of the authors and do not necessarily represent the point of view of the funding agency.

Linda J. Wood
Project Director

CHAPTER ONE

INTRODUCTION

An Overview of the System

Each year thousands of New Jersey youngsters are admitted to Shelter and Detention facilities while they await action by the court or the Division of Youth and Family Services (DYFS) and other social services agencies. Although these facilities are designed to provide temporary care until a suitable disposition can be made, in reality, a sizeable percentage of youngsters remain in these facilities for 30 days or more and some linger for months. Many of the youngsters return to the facilities or are admitted to other types of temporary care.

Many Placed in Locked Detention

The majority of youths placed in these facilities are sent to locked detention facilities where their freedom is seriously restricted. Although virtually all of these youngsters are charged with delinquent offenses which involve some violation of the law, no information is currently available on how many actually pose such a serious threat to the community that they require placement in a locked institution. The wide variation among the counties in the percentage of youngsters who are sent to detention raises questions whether or not some youths may be kept inappropriately in these facilities.

Establishment of JINS Shelters

A number of other youngsters are sent to the special shelters for Juveniles in Need of Supervision (JINS) established as a result of the 1974 Juvenile Code.[1] These facilities are designed to provide nonsecure care for youngsters classified as JINS for a variety of acts such as truancy and incorrigibility which would not be offenses if they were committed by adults. Prior to 1974, these "status offenses" were included in the legal definition of delinquency, and youngsters coming under these provisions were subject to placement in locked detention. In a number of instances, "JINS" youngsters are brought into court on petitions by their parents and are sent to shelters largely because of unresolved family problems.

Although these institutions are much less regimented than detention and provide more opportunities for involvement with the family and community, critics question whether or not this system is being utilized appropriately in accordance with federal and state laws and guidelines. Do the JINS shelters represent the "least restrictive alternative" for the youngsters in their care? How many of these facilities are actually community-based?

The Role of the Childrens Shelters

A relatively small number of children who have been abused, neglected or have families who are unwilling or unable to care for them are sent to the Childrens Shelters, which are all located in Northern Jersey. These children are considerably younger than those in the overall population of the Detention and JINS facilities and only a few of these youngsters come through the court system.

The fact that the majority of counties do not have this type of facility raises a number of issues. Are children in the population in other counties being sent to foster and group homes? How many are being sent to JINS Shelters and other types of institutional care due to the lack of a Childrens Shelter in a county?

Population of Facilities

Although these three types of facilities appear to be serving distinctively different populations, in reality, many youngsters fall within more than one category at various times in their careers and many experience placement in several types of temporary facilities. All too often, the label affixed to the child by the court or social agency is more a matter of chance or circumstances than the behavior of the youngster. As a result, a relatively large proportion of youngsters move back and forth among various types of detention and shelter care. In the second part of the study, due to be published next Fall, the placement histories of some of these youngsters will be traced.

Costs of Programs

This cost of operating the temporary care facilities on an annual basis exceeds $14 million, not including the costs of rent and capital improvements, making it one of the most expensive systems of institutional care for children in the state. The counties bear the major portion of the financial burden since the only form of regular funding comes from the Division of Youth and Family Services (DYFS). In most counties, DYFS reimburses JINS and Childrens Shelters at a rate of $5.50 per day for children under its supervision. This amount covers only a very small portion of the operating costs of these facilities. Because of the lack of funding at the state level, it is often difficult for monitoring agencies to enforce standards.

Although the costs bear some relationship to the level of services in Detention facilities and Childrens Shelters, this relationship is not apparent with JINS Shelters for a variety of reasons.

Background of Study

Following completion of a major study on long-term residential care in 1975, Citizens Committee for Children of New Jersey (CCCNJ) (now part of the Association for Children of New Jersey) once again shifted its attention to examining the network of Shelter and Detention facilities and the children they are designed to serve. The study of long-term facilities had highlighted the fact that many youngsters were remaining for long periods of time in Shelter and Detention facilities because the admissions process for long-term residential care was "exceedingly slow."[2] The study had also identified the need for "a thorough assessment and investigation of policies and programs for youngsters designated as hard-to-place." A number of these issues had also surfaced in an earlier study prepared and published by CCCNJ volunteers in 1974.[3]

As part of its efforts to assess and implement the recommendations of the earlier reports, CCCNJ submitted a proposal to the State Law Enforcement Planning Agency (SLEPA) for an indepth study on the characteristics and experience of children in Shelter and Detention facilities and an assessment of the programs and policies of temporary care systems. The project had two major goals: to obtain indepth objective information which was needed for effective planning for youngsters placed or at risk of placement in long-term residential care and to ensure the appropriate utilization of temporary care facilities in line with state and national guidelines and practices. In its proposal, CCCNJ emphasized the importance of making comprehensive and systematic review of the entire system of Detention and Shelter facilities including Childrens Shelters in order to identify overall trends and obtain information needed for effective change. In the Summer of 1977, SLEPA approved the project with a budget of $38,035 which permitted the hiring of one full-time staff associate and one part-time secretary. Thanks to a CETA grant from Essex County, this staff was supplemented by a full-time research assistant and a part-time bookkeeper/clerical assistant. Union County, which had a strong interest in obtaining this type of information on a statewide basis, served as subgrantee for the project and provided technical assistance.

The choice of CCCNJ to conduct the study was made for a number of reasons. Founded in 1972 as a private, non-profit organization dedicated to improving the lives of New Jersey's children, it had previously demonstrated its research capability through the publication of three earlier studies which had dealt with related aspects of child welfare service delivery in the State.[4] Since CCCNJ did not provide direct services, it did not have an organizational stake in any particular set of outcomes which might emerge from the research. Because of the diversity of its Board of Trustees and volunteer members, CCCNJ was in the relatively unique position of being able to examine the system with a high degree of objectivity.

In June, 1978, CCCNJ merged with Child Service Association, a Newark-based organization working in the area of child welfare policy and research to form the Association for Children of New Jersey, which has continued the tradition of independence. The Association for Children of New Jersey has, since its creation, repeatedly underscored its support of the study by commiting its own resources to the project.

Purpose of the Study

The purpose of the overall study is to obtain a comprehensive picture of Detention and Shelter facilities and the children they serve with the aim of improving planning and bringing about constructive change in the system.

It is hoped that the research will shed light on a number of questions which have major policy implications including the following:

1) Are detention and shelter care being used appropriately in accordance with state law and national guidelines?

2) Why do wide variations exist among the counties in their utilization of shelter and detention care?

3) Are variations in practices among the counties associated with the characteristics of the youngsters?

4) Which groups of children are most likely to be placed in locked Detention facilities? In JINS Shelters? In Childrens Shelters?

5) How long do children remain in the facilities? Which groups of youngsters are most likely to remain for long periods of time? Where do these youngsters go after they leave shelter and detention care?

6) How much do temporary care facilities cost and what factors influence the cost?

7) What types of services are provided to the youngsters in shelter and detention care?

Objectives of the Research

The objectives of the research project were to survey all Detention and Shelter facilities in the state in order to assess their programs and policies, to compile and analyze descriptive information on the children in selected counties and to develop an indepth profile of a selected group of youngsters who had spent long periods of time in shelter and detention care.

This effort was to culminate in the publication of a report which would describe and assess the findings and make recommendations for change.

Methodology of the Study

The data collection effort was divided into three major phases:

1) A survey questionnaire was mailed to 42 temporary care facilities asking for descriptive information about the children and the facilities.

2) A review was made of a random sample of 544 case records of youngsters in Detention and Shelter facilities in Bergen, Burlington, Cumberland, Essex, Hudson, Monmouth and Union Counties.

3) An intensive review was completed of a subsample of 102 DYFS case records for children who had been in some type of temporary care facility for more than 90 days and had received services from DYFS.

The analysis of the findings of this extensive data collection effort will be presented in two stages. This initial report will summarize and analyze the findings of the survey questionnaire based on information supplied by the facilities themselves. The second report, due to be completed in early Fall, will focus on the characteristics of the youngsters in detention and shelter care and their experiences in placement.

Description of the Survey Questionnaire

The survey questionnaire was mailed to 42 of the state's 44 facilities on February 8, 1978. In early June, as a result of extensive efforts by project staff, all 42 instruments were completed. Because of the 100% response rate, the data base is superior to that of official statistical records in the state.

It should be noted that data from the report had already been compiled when project staff learned of the existence of two additional programs: Morris County Childrens Shelter and Cape May JINS Shelter. Unfortunately, by that time it was too late to include these facilities in the survey. Since both of these facilities are quite small, and have a combined maximum capacity of 23 it is highly unlikely that their omission will significantly affect any of the overall findings of the survey.

The questionnaire requested information in three major categories:

-DAILY CENSUS: A census of all youngsters under care on the sample date of February 16, 1978, which asked for such information as the sex, race, age, county of residence and length of stay of the youngsters.

-ANNUAL ADMISSIONS: Data on the annual admissions of youngsters in 1977 which called for information in such areas as age, sex, race and number of readmissions.

-SERVICES AND STAFF: A description of education and recreational programs and a chart of staff in the facilities.

In addition, the facilities were asked to provide a copy of their 1977 operating budget, a daily schedule for residents and an operating manual of procedures.

FOOTNOTES - CHAPTER ONE

1. See Appendix, Exhibit VI, New Jersey Juvenile Code, P.L. 1973, C306, Section 2A:4-42 et. seq.

2. Citizens Committee for Children of New Jersey, Long-Term Residential Care of Children in New Jersey: A Report of the Residential Task Force, December, 1975, p. 46.

3. Citizens Committee for Children of New Jersey, County Detention Facilities and Shelters in New Jersey, Preliminary Report, June, 1974.

4. Citizens Committee for Children of New Jersey, Report of the Task Force on Child Abuse, 1973. (See also footnotes 2 and 3.)

CHAPTER TWO

A DESCRIPTION OF THE SYSTEM OF DETENTION AND SHELTER CARE

Introduction

In order to assess the findings and issues presented in this report, it is useful to have a framework for understanding the system and its relationship to policy and trends at the national level. This chapter briefly examines national issues and policies and gives an indepth description of the system of detention and shelter care, including legal definitions, facility descriptions, criteria for placement and the role of the agencies charged with monitoring and inspecting these facilities.

The National Context

The system of "temporary care" in New Jersey cannot be assessed accurately without reference to the broader context of issues and policies at the national level. National studies, standards and laws have highlighted such issues as the unsatisfactory conditions of confinement, the lack of treatment and services available to youths in these facilities, the high costs of care, the inappropriate and excessive use of detention for youths who pose little or no threat to the community and the related issue of institutionalizing certain groups of youngsters who could remain in the community if alternative programs were ordered.

Juvenile Justice and Delinquency Prevention Act of 1974

The Juvenile Justice and Delinquency Prevention Act of 1974 (hereafter referred to as the JJDP Act), which is the most comprehensive piece of recent national legislation in the juvenile justice area, represents a major effort at the national level to deal with many of these issues and problems. Its enactment and implementation has many implications for New Jersey.

The purpose of the Act is to provide federal assistance in helping states to develop a plan to conduct effective programs to prevent delinquency, to divert juveniles from the traditional juvenile justice system and to provide critically-needed alternatives to institutionalization.[1]

The JJDP Act places major emphasis on removing youngsters charged with status offenses from detention and correctional programs and developing and utilizing less restrictive alternatives. Within three years after submission of the initial plan for state participation in funding under the Act, juveniles charged with offenses that would not be criminal if committed by an adult, and other children who have not violated the law cannot be placed in juvenile detention or correction facilities.[2]

At least 75% of the funds given to a state shall be used for the following programs and services:

(A) community based programs and services for the prevention and treatment of juvenile delinquency through the development of foster care and shelter care homes, group homes, halfway houses, homemaker and home health services, twenty-four hour intake screening, volunteer and crisis home programs, day treatment and home probation, and any other designated community-based diagnostic, treatment or rehabilitative service;

(B) community-based programs and services to work with parents and other family members to maintain and strengthen the family unit so that the juvenile may be retained in his home;

(C) youth service bureaus and other community-based programs to divert youth from the juvenile court or to support, counsel, or provide work and recreational opportunities for delinquents and other youth to help prevent delinquency.[3]

Each state shall submit annual reports containing a review of the state's progress in achieving the deinstitutionalization of these juveniles which includes monitoring to ensure that if youngsters are institutionalized, they are placed in facilities which:

> (i) are the least restrictive alternatives appropriate to the needs of the child and the community; (ii) are in reasonable proximity to the family and the home communities of such juveniles and (iii) provide medical, educational, vocational, social and other rehabilitative services.[4]

Background of Juvenile Code

In March, 1974, New Jersey became one of an increasing number of states to adopt legislation which distinguished between delinquents and status offenders and established procedures for their differential handling.[5]

The impetus for statutory separation of status offenders from juveniles accused of criminal law violations in New Jersey can trace its roots to a national movement that began in the early 1960's. Responding to the fact that much of the conduct engaged in by these youngsters was a response to personal and family problems and was not criminal in nature, California and New York enacted separate statutory classifications for status offenders. Although there were organizations and individuals which advocated for the total removal of these youngsters from the jurisdiction of the courts, the national trend was toward separation, and by 1972 there were 25 jurisdictions which had enacted separate statutory classifications.[6] However, the creation of a legal classification for status offenders did not necessarily result in the removal of these youngsters from secure detention homes and jails. It was not until the mid-1960's and early 1970's that national concern focused on removing status offenders from secure facilities and limiting the use of detention only to those juveniles who could not be retained in the community. These efforts served as a catalyst for the enactment of the JJDP Act. The momentum generated at the national level also influenced the direction of New Jersey legislation.

Purpose and Provisions of the Juvenile Code

The new juvenile code revised and codified many of New Jersey's prior juvenile laws into one comprehensive statute which incorporated many of the advances made in statutory and case law and modernized court proceedings.

The purpose of the Act is to preserve family unity by removing youngsters from their homes only when necessary to protect them or the public, and by providing care and supervision to youngsters committing relatively minor acts.[7]

The procedures and mechanics of the Act are designed to protect the due process rights of the juveniles involved in this system, particularly those charged with delinquency offenses, and offer the court a wide range of dispositional alternatives for these youngsters.

There are two broad classes of juveniles defined in the code: Juvenile Delinquents and Juveniles in Need of Supervision (JINS). Delinquents are youngsters charged with acts which, if committed by an adult, would be homicide, misdemeanors or other criminal law violations.[8] JINS are defined as youths who have committed such acts as being habitually disobedient to parents, incorrigible, and habitually truant from school, which are not illegal for adults.[9]

In addition to enacting this separate classification, New Jersey went beyond many other states by mandating differential *handling* of JINS from delinquents both before and after court disposition. When it is necessary to place a JINS in a temporary holding facility prior to a court hearing, the code provides for placement in shelter care after placement criteria have been met.[10] The code also provides that no JINS shall be committed or placed in any facility maintained for delinquents or one which physically restricts the juvenile, excluding certain treatment facilities such as mental hospitals.[11]

The System of Detention and Shelter Care

The enactment of the Juvenile Code produced major changes in the system. Over the past four years, seventeen counties have established JINS Shelters and the remainder have made some type of arrangements to care for these youths. These juveniles have been diverted from the locked Detention facilities which exist in nineteen counties where they were previously placed. These institutions now are designed to handle only delinquent youngsters who cannot remain in the community. Abused, abandoned, neglected and dependent children continue to be placed in the six Childrens Shelters.

The following section will provide legal definitions of the various types of care, give overall descriptions of the facilities and their admissions criteria and describe the monitoring and inspection authority of various state agencies charged with overseeing operations of these programs.

Detention Facilities

Legal Definition

"Detention" means the temporary care of juveniles in physically restricting facilities pending court disposition.[12] A set of rules and regulations entitled *Manual of Standards for Juvenile Detention Facilities* (hereafter referred to as Detention Standards) is applicable to all Detention facilities established by the counties which serve children awaiting juvenile court disposition.

Description of Facilities

Currently, nineteen of New Jersey's twenty-one counties have Detention facilities. Salem and Cape May counties do not have their own juvenile Detention facilities, but these counties have made formal arrangements with neighboring counties to use their Detention facilities. Salem uses Gloucester County for placement of their children and Cape May uses Cumberland County.

Detention facilities in New Jersey as in most other parts of the country, are comparatively large facilities and are characterized by locks, bars and other types of restraining hardware. In a number of instances they resemble jails and in two New Jersey counties, Hunterdon and Somerset, the facilities actually are located in or adjacent to county jails. Youngsters in detention are subjected to a rigid, highly regimented routine which offers little privacy and free time. They are permitted few contacts with their family or the outside world and are generally isolated from the community. Few youths are allowed to attend local schools or participate in community activities. As in most temporary facilities, services are relatively limited although most youngsters are provided with some type of educational and recreational program. Youngsters generally are locked in their rooms for specified periods during the day. Observers of the juvenile justice system generally agree that locked detention is necessary for certain groups of youngsters who represent a serious threat to the community. However, state and national standards question whether detention is being used appropriately in all cases.[13]

Criteria for Detention

According to the law, a juvenile may not be placed in detention unless he or she has been formally charged with a delinquent act and

(1) detention is necessary to secure the presence of the juvenile at the next hearing; or
(2) the nature of the conduct charged is such that the physical safety of the community would be seriously threatened if the juvenile were not detained." [14]

Thus, under the law, detention is to be used only in cases where there is a strong likelihood the youngster will not appear in court or where the juvenile is charged with a serious delinquent offense. Juveniles charged with less serious delinquent offenses who do not meet the criteria for placement in detention are not supposed to be admitted to Detention facilities and are to be referred to the appropriate Shelter facilities.[15]

Monitoring and Inspection Authority

All Detention facilities are currently approved by the New Jersey Department of Corrections, which has responsibility for monitoring compliance of each facility with minimum standards and enforcing them. Prior to the enactment of New Jersey's 1974 Juvenile Code, no state agency was authorized to approve County Detention facilities. The new Juvenile Code authorized the Department of Institutions and Agencies (now the Department of Human Services) to set up an approval process for all detention and shelter care facilities.[16] In November of 1976, the Department of Corrections was established and responsibility for establishing and monitoring minimum standards of operation for all Detention facilities was transferred to this newly-created Department.[17]

In July, 1978, the Juvenile Detention and Monitoring Unit was created to ensure that the Detention facilities were operating in accordance with the standards. The Monitoring Unit, which has a relatively small staff of six, composed of four professionals and two secretaries, is the only agency responsible for monitoring and inspecting Juvenile Detention facilities in New Jersey. In July, 1978 The Monitoring Unit received a 3-year grant from SLEPA to monitor and inspect the 19 Juvenile Detention facilities in this state and assess their compliance with the JJDP Act of 1974.

Prior to receiving the SLEPA grant, the Department of Corrections made yearly inspections but they were not based on a set of standards. Starting in May, 1979, The Monitoring Unit began doing critical evaluations of the facilities using the Manual of Standards for Juvenile Detention Facilities developed by the Department of Corrections. During the first year of the grant, the staff stated they would focus on physical inspections and then they planned to concentrate on evaluating the programs and services in these facilities. The unit planned to inspect the facilities annually.

After all inspection reports are reviewed and examined for violations, a report citing specific violations is sent to the administrator of the Detention Facility and to a member of that county's governing body. The facility is given a specific period of time in which to correct the violation. If for any reason the violations can not be corrected by the deadline, the facility is required to contact the Monitoring Unit in writing and explain how the violation will be corrected and when it will be completed. At that point an extension may be granted.

If after this period of time no changes are made, an administrative hearing may be requested by the Juvenile Detention and Monitoring Unit. The Monitoring Unit, facility director, and a member of that county's governing body are asked to attend. A default hearing can be held in their absence. The administrative officer reviews the case and makes a decision concerning the violation.

The Monitoring Unit advised project staff that they prefer to handle these problems on an administrative level rather than using the Courts. However, if after the administrative or default hearing no corrections to the violations are made, appropriate court action is taken.[18]

JINS Shelters

Legal Definition

"Shelter" means the temporary care of juveniles awaiting court disposition in facilities without physical restriction.[19] A set of rules and regulations entitled A Manual of Standards for Shelters Accepting Juveniles

Awaiting Court Disposition (hereafter referred to as Shelter Standards) is applicable to all Shelter facilities established by the counties to serve children awaiting juvenile court disposition.

Description of Facilities

As a result of the 1974 Juvenile Code, JINS Shelters have been established in 17 counties. Sussex, Warren, Hunterdon, and Gloucester counties do not have JINS Shelters. Instead, Sussex and Warren counties utilize a network of JINS emergency foster homes while Hunterdon and Gloucester counties have made formal arrangements with neighboring counties to use their Shelter facilities. Hunterdon uses Somerset facilities and Gloucester children go to Salem County.

The nature of these facilities vary markedly from county to county in terms of size, location, availability and scope of services, staffing, type of administrative structure, relationship with the outside community and daily routine. All of these facilities are relatively small and physically non-restrictive, although some employ various disciplinary measures to control the behavior of their residents. For the most part, youngsters placed in these facilities have considerable freedom of movement. Some attend schools in the community and a sizeable number participate in outside activities. Youngsters are generally permitted to visit their families and they are not seriously restricted in their communication by mail and phone with family and friends. Most facilities provide a number of recreational activities including movies, dances, athletics. In a number of facilities, youngsters are permitted to engage in coeducational activities.

Although the JINS Standards require the facilities to be "community-based", it is interesting to note that ten of the facilities are located on county-owned property in relatively isolated areas and in close proximity to other county institutions including detention. Four other Shelters were established within sections of other county or private institutions. However, five of the Shelters, are located in metropolitan areas which provide access to public transportation and community activities.

A sizeable proportion of JINS youngsters tend to experience long stays in these facilities and questions have arisen as to whether this type of institutional care is being used appropriately in all counties. A growing number of experts in the field agree that institutional placement should be judged on the concept of the "least restrictive alternative", which requires that every effort be made to keep the child in the home, and that where placement is necessary, to provide an environment as normal as possible near the child's home and community. This approach underlines the JJDP Act which is discussed on pages 8 & 9 of this Chapter. The fact that a substantial number of JINS youngsters eventually return home or are placed in foster homes or group homes raises the question whether these youngsters required institutional care in the first place.

Criteria for Shelter Care

JINS Shelters have considerable latitude in determining which youngsters they will admit. Unlike detention facilities which require a complaint, JINS

Shelters may admit juveniles without a complaint under certain circumstances. To be eligible for shelter care, according to Shelter Standards, the youngster must meet the following criteria:

(1) Alleged "JINS" youngsters are eligible for shelter care only under one of the following circumstances: Where there is no appropriate adult custodian who agrees to assume responsibility for the juvenile, and the release on the basis of a summons to the juvenile is not appropriate; or when shelter care is necessary to secure his presence at the next hearing; or when the physical or mental condition of the juvenile makes his immediate release impractical; or when shelter care is necessary to protect the health or safety of the juvenile.

(2) Abused, dependent, neglected or abandoned children are eligible for shelter care when short-term or emergency care is needed pending foster placement or residential placement.

(3) Children in need of emergency or short-term care when a parent is temporarily incapacitated due to a serious illness, hospitalization, or other reasons may be admitted to a JINS facility.

(4) Children charged with a delinquent act, who would otherwise be released, except that a suitable parent, guardian or a custodian cannot be located to accept custody.

Monitoring and Inspection Authority

Compliance with the Shelter Standards is monitored by the JINS Shelter Licensing Unit within the Child Care Licensing Bureau of the Division of Youth and Family Services (DYFS). This JINS Unit was formerly part of the JINS Task Force on the Juvenile Code, which was appointed by Commissioner Ann Klein to oversee the Department's implementation of the 1974 Juvenile Code. In October, 1977 when the Task Force ended, this Unit was relocated in the Child Care Licensing Bureau of DYFS.

The JINS Unit has a small staff of four, composed of the Director, two field representatives, and a secretary. A SLEPA grant has been submitted which would provide for an educational consultant to the JINS Unit. Efforts are underway to find another field representative.

Presently the JINS Unit is responsible for inspecting the programmatic functions of the JINS Shelters while the Life-Safety Unit of the Child Care Licensing Bureau is responsible for physical inspections of these facilities.

Currently, the routine and procedures of the program inspections of JINS Shelters are being revamped. In place of present policy which is an in-depth inspection of all programs and services, the JINS Unit will focus its efforts on the essential services - such as education, recreation, social services, and medical services. Instead of simply citing violations in a lengthy report, the JINS Unit plans to identify essential service violations and help the facilities build up their programs to meet the Standards. In the future, the Unit plans to inspect the shelters every six months and develop familiarity with the various facilities and programs.

After the JINS Unit and Life-Safety Unit inspect a facility, a certain time period is allowed in order to abate the cited violations. If the facility does not comply or for some reason will not abate the violations, steps similar to those previously discussed for Detention facilities are taken so that the facility will correct the violations.[20]

Childrens Shelters

Description of the Facilities

At present, there are six Childrens Shelters in New Jersey, all housed in Northern Counties. Those in Bergen, Essex, Morris, Passaic and Union are operated by the counties while the one in Jersey City which serves children in that city is municipally-operated.

These facilities provide short-term congregate care to a relatively undifferentiated group of children who are abandoned, abused, neglected or whose families are unable to care for them. These youngsters are on the average considerably younger than those in detention or shelter care. Most of the children are referred by DYFS and only a handful are placed as a result of a petition from the court. The Essex County Shelter, which is also designated as a JINS Shelter, was the only Childrens Shelter which accepted JINS youngsters at the time of the survey.

Given the age of the youngsters and the institutional character of the facilities, one must question whether the Childrens Shelters represent the least restrictive alternative for many of the children placed there, particularly those aged six and under. The fact that many counties do not operate Childrens Shelters and apparently house many of the youngsters in foster or group homes indicates that viable alternatives can be found. On the other hand, there are also indications that children of similar characteristics may end up in JINS Shelters in those counties which have no Childrens Shelters.

Although all of the facilities are open, most of them have an institutional character and are relatively isolated from the community. Four of the facilities surveyed are located on the grounds of an institutional complex while a fifth is located on the seventh floor of a hospital. The facilities are relatively small with the exception of Essex County Childrens Shelter. On the day of the census, Essex had a daily population of 54 while the total in the other facilities ranged from four to sixteen.

Bergen's Childrens Shelter is the only one which relies primarily on community schools for educational programs. Essex, Passaic and Union offer in-house educational programs for the majority of their children while Jersey City Childrens Shelter provides no educational program at all. Most of the youngsters do not participate in community recreational programs. According to the survey questionnaire, the Dube Shelter in Union was the only facility which showed a high percentage of youngsters participating in community activities. The Jersey City Childrens Shelter reported that none of their children particpated in any type of community recreational programs.

Criteria for Placement

Since Childrens Shelters do not operate within the jurisdiction of the Juvenile Court as do JINS and Detention, and no standards are available to guide their operations, no prescribed eligibility criteria or standards are applied to the admission process. Childrens Shelters serve a young population which includes infants and toddlers. Four of the five shelters will not accept any juvenile with a JINS or delinquent complaint, regardless of age. However, the Childrens Shelter of Essex County which is a JINS Shelter, as well, occasionally admits young JINS children.

All of the Childrens Shelters accept abandoned and neglected youngsters and those whose parents cannot provide care due to such problems as hospitalization, incarceration and eviction. Since DYFS is the primary referral source, children who are experiencing problems in out-of-home placement under DYFS supervision are also eligible for admission. The Jersey City and Bergen County facilities stated that they generally will not accept abused children because alternative resources are available.

Monitoring and Inspection Authority

Childrens Shelters have no set of operating standards and, until recently, had not been routinely inspected or monitored apparently because no state agency has been given clearcut authority for this function. According to information supplied by DYFS, inspections occurred only when problems were brought to the attention of local district offices.

In recent months, partially as a result of interest generated by this study, DYFS has decided to take responsibility for inspection of these facilities although the staff is not certain that the agency actually has specific legal authority to do so. Since DYFS is the major referral source for these programs, it is assuming this responsibility to ensure that the youngsters under its supervision are receiving at least minimum standards of care.

Within DYFS, the inspection of the Childrens Shelters physical plants is being done by the Life-Safety Unit of the Child Care Licensing Bureau, while the program inspection is being carried out by the JINS Shelter Licensing Unit. The JINS Standards are currently being used to evaluate the Childrens Shelters' programs and services in the interim period while specific standards for Childrens Shelters are being developed. As of January 31, 1979, all of the Childrens Shelters have had a complete physical and programmatic inspection. Project staff were advised that DYFS plans to conduct these inspections on a yearly basis.[21]

FOOTNOTES - CHAPTER TWO

1. Juvenile Justice and Delinquency Prevention Act of 1974, (P.L. 93-415), 42 U.S.C. 5601 et. seq.

2. Ibid., 42 U.S.C. 5633.

3. Ibid., 42 U.S.C. 5633.

4. Ibid., 42 U.S.C. 5633.

5. See Appendix, Exhibit VI, Sections 2A:4-44, 2A:4-55, 2A:4-56, 2A:4-62.

6. Levin, Mark E. and Rosemary C. Sarri, Juvenile Delinquency: A Comparative Analysis of Legal Codes in the United States, National Assessment of Juvenile Corrections, Ann Arbor, Michigan, University of Michigan, 1974.

7. See Appendix, Exhibit VI, Section 2A:4-42.

8. Ibid., Section 2A:4-44.

9. Ibid., Section 2A:4-45.

10. Ibid., Section 2A:4-56.

11. Ibid., Section 2A:4-62.

12. Ibid., Section 2A:4-43c.

13. New Jersey Governor's Adult and Juvenile Justice Advisory Committee, Standards and Goals for the New Jersey Criminal Justice System, pp. 260-262.

    Institute of Judicial Administration - American Bar Association (IJA/ABA), Joint Commission on Juvenile Justice Standards Project, Standards Relating to Interim Status: The Release, Control and Detention of Accused Juvenile Offenders Between Arrest and Disposition: Tentative Draft, Cambridge, Massachusetts, Ballinger, 1977, p. 52.

    U.S. National Advisory Committee on Criminal Justice Standards and Goals, Task Force on Juvenile Justice and Delinquency Prevention, Juvenile Justice and Delinquency Prevention, Washington, D.C., U.S. Government Printing Office, 1976, p. 374.

14. See Appendix, Exhibit VI, Section 2A:4-56b. Also see Juvenile Court Rule 5:8-6(e).

15. New Jersey, Department of Corrections, Manual of Standards for Juvenile Detention Facilities, September, 1977, p. 14.

16. See Appendix, Exhibit VI, Section 2A:4-57a-b.

17. New Jersey, Department of Corrections Act of 1976, P.L. 1976, c98, effective, November 1, 1976, N.J.S. 30:1b-10.

18. Material in this section is based on an interview with Joseph DeJames, Director of the Juvenile Detention and Monitoring Unit and Joseph Ellman, Assistant Director of the Juvenile Detention and Monitoring Unit.

19. See Appendix, Exhibit VI, Section 2A:4-43d.

20. Material in this section is based on an interview with Bill Ulrich, Supervisor of the JINS Licensing Unit.

21. Ibid.

CHAPTER THREE

DESCRIPTION OF CHILDREN IN DETENTION AND SHELTER CARE

Background

Efforts to reduce the use of detention and shelter care and develop alternative programs and services have been hampered by the scarcity of the most basic information about the children who experience placement in "temporary care" facilities. This data, which is not routinely compiled or analyzed by any state agency, is essential for identifying those youngsters who might benefit from placement in less restrictive settings and determining exactly what types of programs and facilities need to be developed. Prior to this survey, it was impossible to answer such basic questions as:

- How many youngsters are male and female?
- What proportion are white and non-white?
- Which youngsters are most likely to be placed in Detention, JINS Shelters and Childrens Shelters?
- How old are the youngsters in various types of facilities?
- Where do the children reside?

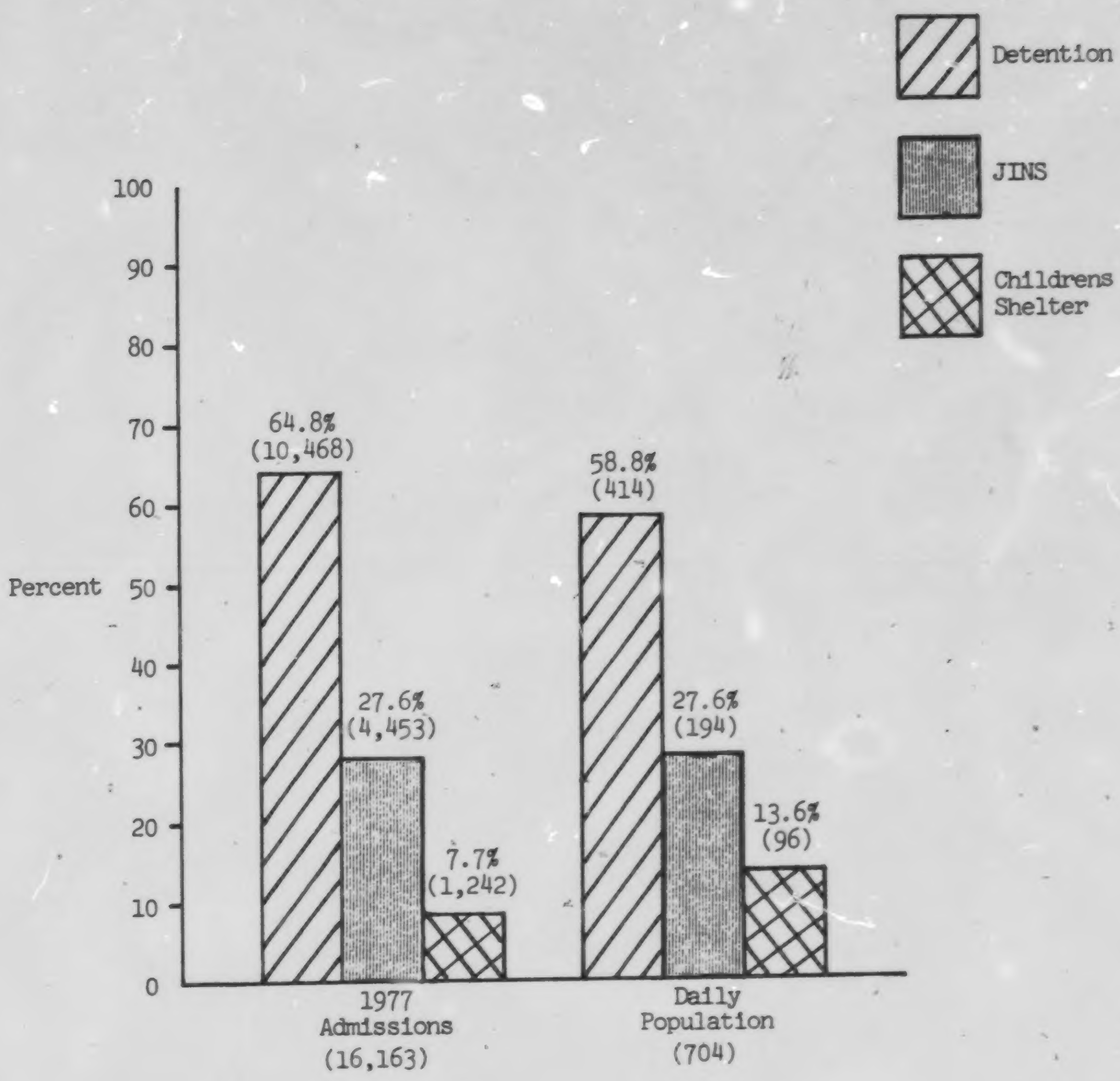
This chapter attempts to answer some of these critical questions and gives a thumbnail sketch of the types of youngsters placed in "temporary care" using the information which has been provided by the 42 facilities included in the survey.

During 1977, there were 16,163 admissions of youngsters to "temporary care" facilities, making it the most widely-used type of institutional placement for children in the state. The number of youngsters under care at any given point in time is relatively small, however, because of the high rate of turnover in the population (See Table 1). The daily census on 2/16/78 found only 704 youngsters in the 42 facilities. While the length of stay for these youngsters on the average is relatively short compared to other types of institutional care, the data also reveals that many youngsters have been readmitted at least once.

Detention continues to be the dominant form of "temporary care" in New Jersey as Table 1 shows. Despite the establishment of the JINS Shelters under the 1974 Juvenile Code, a large number of youngsters are still being sent to physically restrictive facilities. In 1977, there were 10,468 admissions to locked Detention facilities which was more than twice the number of admissions to JINS facilities (4,453). However, the number of youngsters sent to detention has decreased somewhat since 1975 when slightly more than 12,000 youngsters were admitted to detention.[1] The daily census shown on Table 1 reveals a similar pattern. Nearly 60% of all youngsters in care on February 16, 1978 were in secure Detention facilities while fewer than 30% of the children were in JINS Shelters.

TABLE 1

1977 ADMISSIONS AND DAILY POPULATION BY TYPE OF FACILITY



Profile of the Children

The "typical" youngster admitted to a Detention facility is a 15 year old black male while the "average" youngster admitted to a JINS facility is a 14½ year old white girl. The "typical" child entering a Childrens Shelter is eight years old, male and black. Keeping in mind that there are many differences among the counties, this gives a thumbnail sketch of the types of youngsters admitted to the respective facilities.

Sex of the Youngsters

During 1977, boys constituted more than two-thirds of all admissions to shelter and detention care and predominated in Detention and Childrens Shelters.

Nearly 80% of all admissions to locked detention and nearly 60% of all admissions to Childrens Shelters were male. Girls were far more likely to be placed in JINS Shelters (See Table 2). Females comprised more than 50% of the youngsters in JINS facilities during 1977. An examination of 1977 arrest data indicates that females are overrepresented. According to Table 3, females comprised approximately 20% of all arrests, but accounted for more than 30% of all admissions to Detention and JINS facilities. Statistical data contained in the draft report on the impact of the Juvenile Code prepared by the Task Force on the Juvenile Code in 1978 shows that the rate of adjudication in 1973 and 1975 for female JINS was higher than that for male JINS. Data on dispositions shows that girls charged with JINS offenses also are less likely to have their cases dismissed in court.[2]

Studies at the national level have clearly indicated there is differential handling of girls and boys in the juvenile justice system. Two trends are apparent. Girls receive less severe dispositions than boys when they are involved in criminal offenses but receive harsher dispositions when they are charged with a status offense.[3] Chesney-Lind and others have attributed the tendency in part to the fact that in many cases the petitions are filed by parents who are less likely to withdraw them. Chesney-Lind and others also cite judicial attitudes and the broad discretionary power conferred by the statutes as major reasons for the unequal handling of male and female youngsters.[4] Lacking clear guidelines, judges may impose their own standards and values which may mean enforcing the sexual double standard either explicitly or implicitly.

Considerable variation existed among the counties in the percentage of male and female youngsters placed in Detention and JINS Shelters as can be seen on Table 2. Atlantic placed the highest percentage of males in detention(88%) while nearby Ocean County admitted the highest percentage of females to detention. Middlesex County had the lowest proportion of males admitted to JINS.

Overall, the ratio of boys and girls admitted to Childrens Shelters was relatively constant among the five counties included in the survey.

Race of the Youngsters

The majority of youngsters admitted to temporary care facilities in 1977 for whom data was available were non-white (See Table 4). Thirty-three facilities

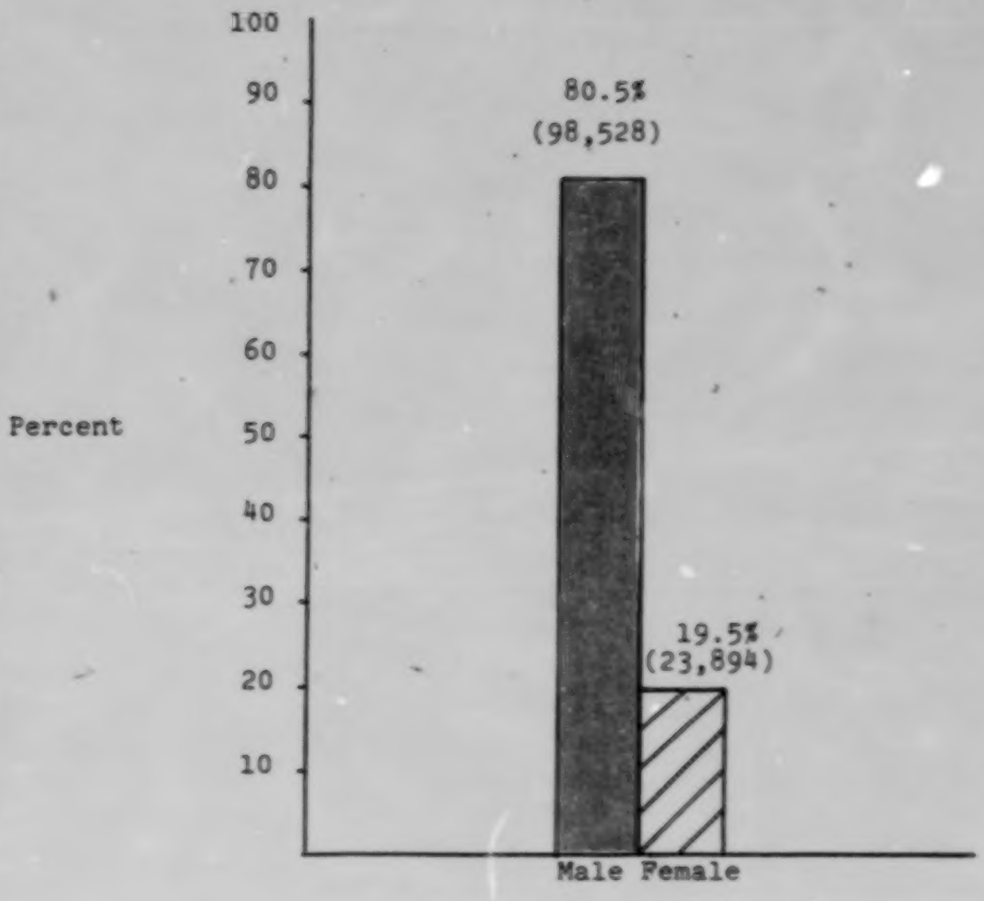
TABLE 2

PERCENTAGE OF MALE/FEMALE OF 1977 ADMISSIONS TO EACH FACILITY

COUNTY	DETENTION		JINS		CHILDRENS SHELTERS	
	Male	Female	Male	Female	Male	Female
Atlantic	300 (88%)	40 (12%)	160 (59%)	113 (41%)	-	-
Bergen	466 (75%)	152 (25%)	204 (49%)	216 (51%)	48 (56%)	37 (44%)
Burlington	304 (83%)	64 (17%)	258 (56%)	204 (44%)	-	-
Camden	611 (84%)	120 (16%)	146 (45%)	182 (55%)	-	-
Cumberland	514 (81%)	121 (19%)	105 (55%)	85 (45%)	-	-
Essex	1198 (85%)	217 (15%)	120 (38%)	199 (62%)	399 (58%)	294 (42%)
Gloucester	225 (75%)	76 (25%)	-	-	-	-
Hudson	952 (83%)	193 (17%)	189 (40%)	284 (60%)	66 (56%)	51 (44%)
Hunterdon	36 (82%)	8 (18%)	-	-	-	-
Mercer	507 (77%)	155 (23%)	109 (41%)	159 (59%)	-	-
Middlesex	595 (71%)	240 (29%)	67 (32%)	141 (68%)	-	-
Monmouth	487 (77%)	148 (23%)	127 (39%)	202 (61%)	-	-
Morris	287 (68%)	133 (32%)	56 (39%)	89 (61%)	-	-
Ocean	346 (63%)	207 (37%)	212 (67%)	103 (33%)	-	-
Passaic	486 (83%)	102 (17%)	30 (35%)	56 (64%)	117 (56%)	93 (44%)
Salem	-	-	86 (58%)	62 (42%)	-	-
Somerset	98 (74%)	34 (26%)	58 (46%)	69 (54%)	-	-
Sussex	150 (80%)	38 (20%)	-	-	-	-
Union	460 (74%)	165 (26%)	142 (39%)	220 (61%)	77 (56%)	60 (44%)
Warren	171 (77%)	52 (23%)	-	-	-	-
TOTAL	8193 (78%)	2265 (22%)	2069 (46.5%)	2384 (53.5%)	707 (57%)	535 (43%)

TABLE 3

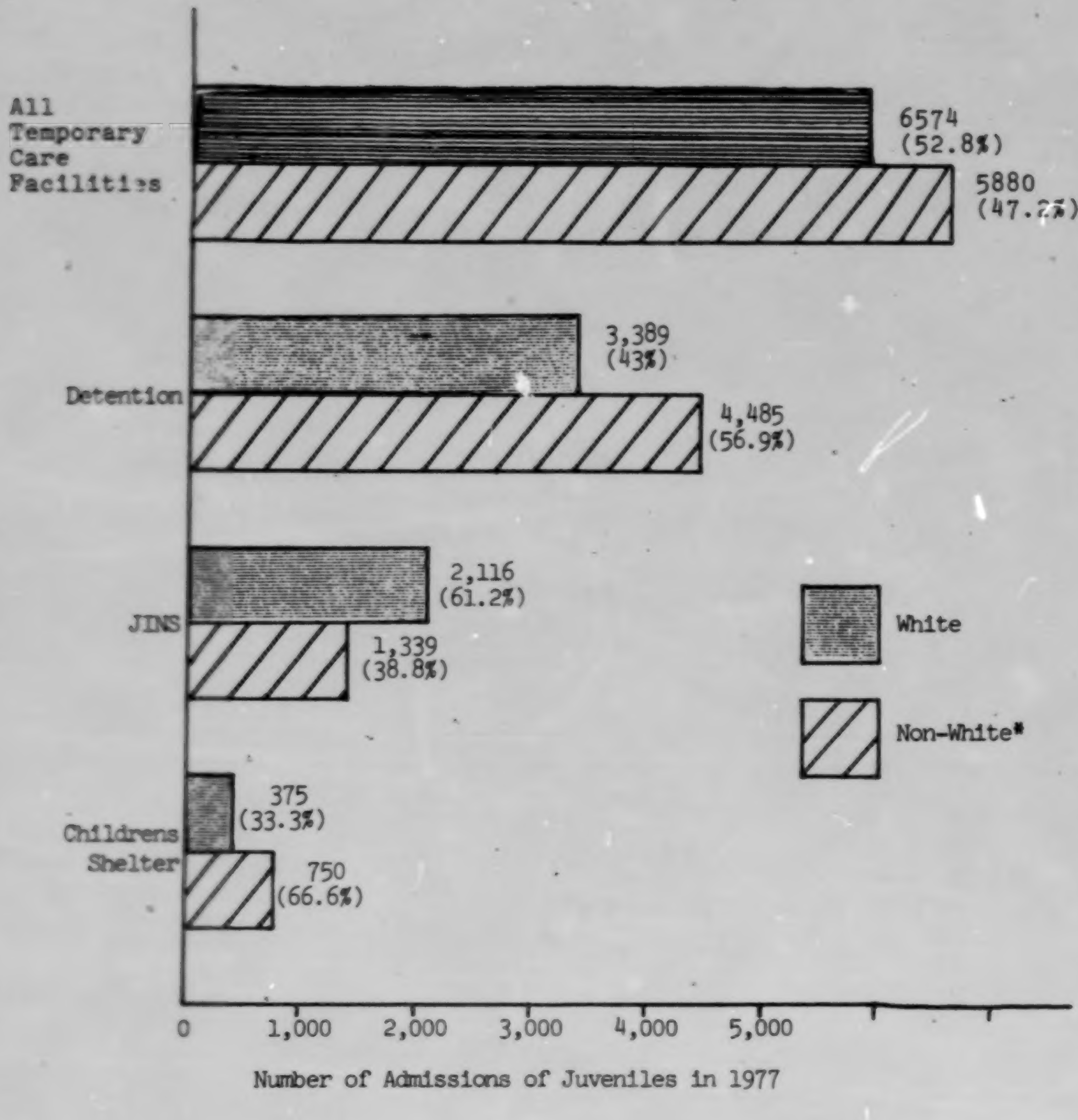
JUVENILE ARRESTS BY SEX, 1977*



*Source - 1977 Uniform Crime Reports
State of New Jersey

TABLE 4

RACE OF 1977 ADMISSIONS BY TYPE OF FACILITY



*Non-White includes Black, Hispanic and Interracial youngsters.

which kept records showing the racial breakdown of annual admissions reported that 6,574 or 53% of the youngsters admitted were non-white.

Of this group, a significant number were placed in secure Detention facilities and Childrens Shelters. Detention admissions for non-white youngsters totalled 4,485 while white youth constituted 3,389 of admissions. Of the 1,125 youngsters admitted to Childrens Shelters in 1977 for whom data was available, slightly over 2/3 were non-white.

The daily census data which gives a complete picture of children in care on February 16, 1978 supports these findings and reveals clearly differentiated racial patterns in the utilization of temporary care (See Table 5). Overall, 60% of the 704 children under care were non-white and more than 60% of the youngsters in detention were non-white. While non-white youngsters constituted slightly more than 40% of the youngsters under care at the JINS Shelters, nearly 90% of the 96 youngsters present in the five Childrens Shelters were non-white.

Minority Youths in Detention

The reasons for the large proportion of minority children in detention are not clear. A considerable body of research at the national level points to the fact that minority youth are disproportionately represented in the populations of Detention facilities and other institutions.[5] The Task Force on Juvenile Justice and Delinquency Prevention states in its report:

> We believe very strongly that minority groups are overrepresented in the juvenile justice system and particularly in institutions...though the data needed are simply not available nationally.[6]

However, the research to date has not been conclusive in explaining why minority youth account for such a high percentage of youngsters in these facilities.

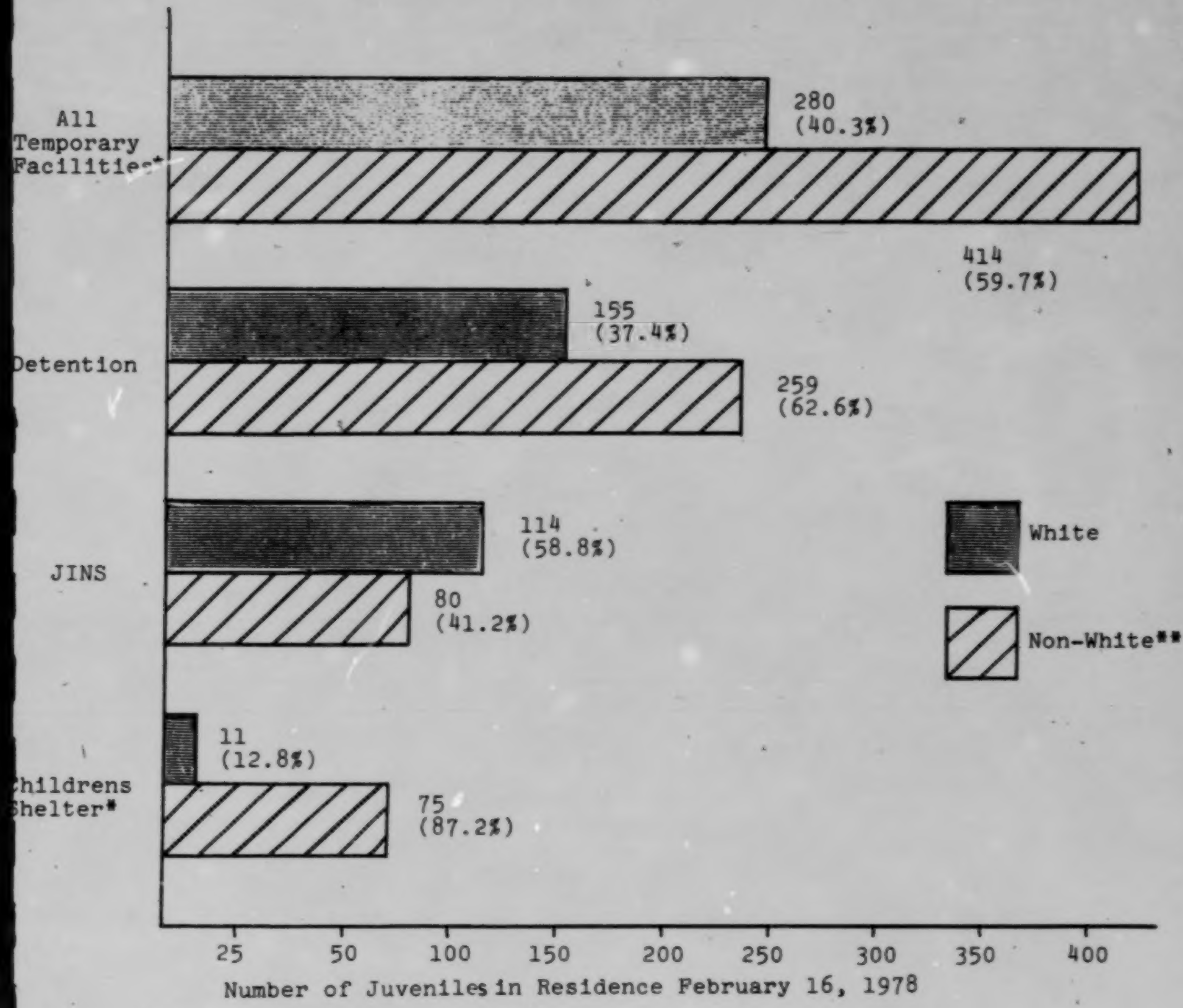
Some studies have suggested that non-white youngsters are overrepresented in secure facilities because of their greater involvement in the most serious offenses.[7] Juvenile arrest data in New Jersey for 1977 does not substantially support their explanation. As Table 6 shows, non-white youngsters comprised 37% of all arrests for serious offenses, but constituted slightly more than 60% of total admissions to Detention facilities.

In this context, it is interesting to note that the draft report on the impact of the Juvenile Code found that only 13% of white juveniles included in that study were held for detention in contrast to 22% of the non-white youth.[8]

Similarly, ACNJ found that in the 11 counties that had both JINS Shelters and Detention facilities, and where admission figures were recorded by race, in every county except Burlington, the proportion of non-white youth held in detention was higher than the proportion of non-white youth placed in JINS. The difference was especially large in Bergen and Cumberland Counties.

TABLE 5

RACE OF DAILY POPULATION BY TYPE OF FACILITY

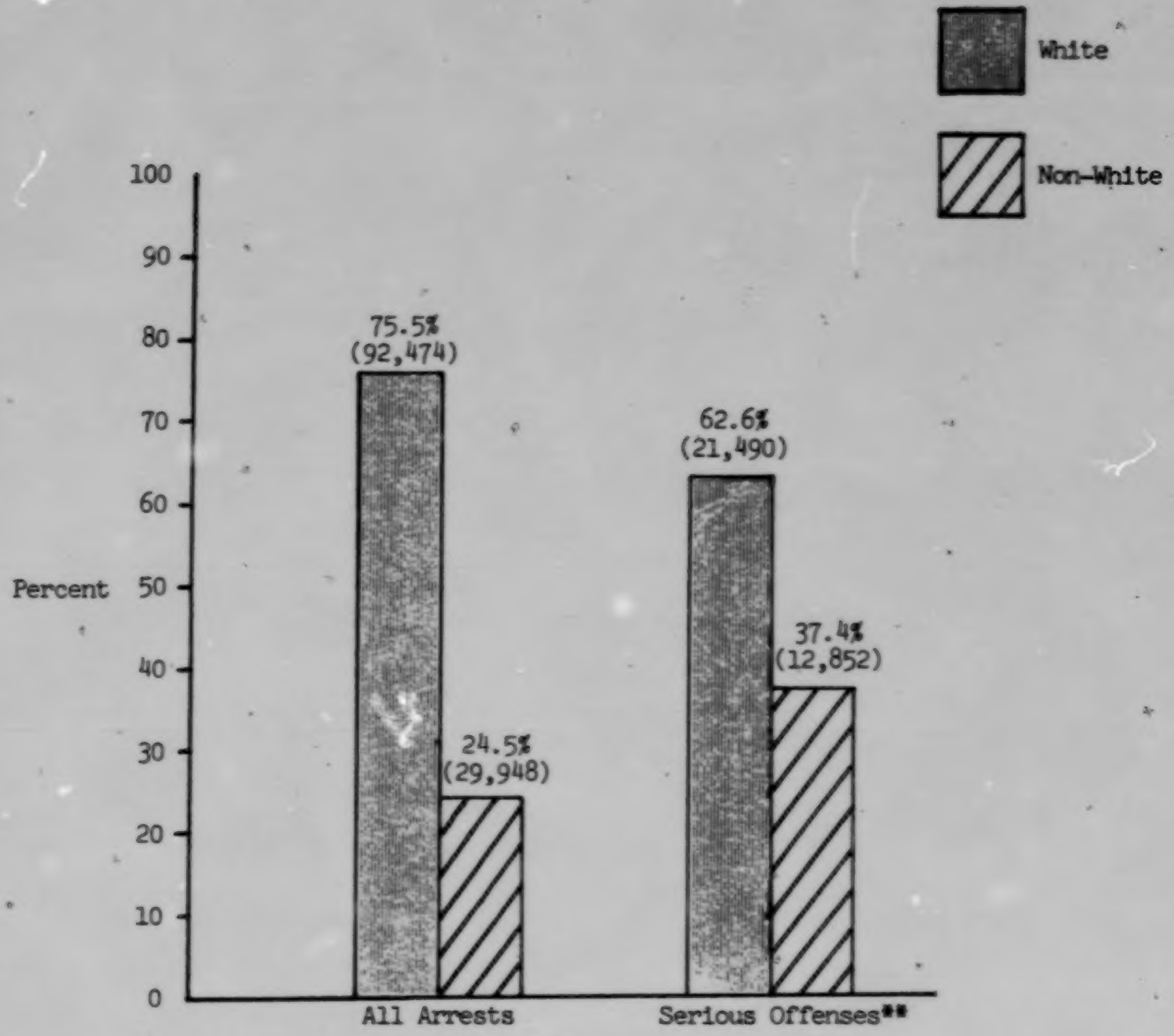


*These figures do not include the race of 10 children which was reported as unknown.

**Non-White includes Black, Hispanic and Oriental youngsters.

TABLE 6

JUVENILE ARRESTS BY RACE, 1977*



* Source - 1977 Uniform Crime Reports - State of New Jersey

** Serious Offenses included: Murder, manslaughter, forcible rape, robbery, atrocious assault, breaking and entering, larceny-theft, motor vehicle theft.

1977 Admissions, % Non-White

	Detention	JINS	Difference
Atlantic	60.6	48.3	12.3
Bergen	43.4	27.7	15.7
Burlington	25.7	28.1	-2.4
Camden	53.8	42.0	11.8
Cumberland	42.5	25.3	17.2
Essex	86.1	81.5	4.6
Mercer	64.8	55.6	9.2
Morris	6.7	4.2	2.5
Passaic	70.0	58.1	11.9
Somerset	12.9	11.8	1.1
Union	59.2	45.3	13.9
	n=4485	n=1339	

While no conclusions can be drawn based upon the limited data available and the complexity of this type of research, the disparity in the proportion of youth admitted to Detention facilities bears further examination.

Minority Youngsters in Childrens Shelters

The heavy concentration of minority youth in the five Childrens Shelters is largely explained by the fact that the Essex County Shelter is by far the largest such facility in the state and serves a population which is predominantly non-white. Division of Youth and Family Services (DYFS) staff have confirmed the fact that youngsters in Childrens Shelters are often placed there due to the lack of appropriate foster homes, and the need for foster homes for minority youngsters is acute in Essex County.

It is anticipated that the more detailed data from the second and third phases of the study will shed further light on the reasons why such a large proportion of non-white youngsters are placed in Childrens Shelters.

Age of the Children

The average age of a youngster in the network of temporary care facilities is about 14½ years according to the annual admissions data. Youth in detention tend to be somewhat older than the average while children in the five Childrens Shelters are considerably younger on the average. (See Table 7)

Although the majority of juveniles admitted to temporary care placement in 1977 were over the age of 12, nearly 12% were between the ages of 12 months and 12 years. The very young children under five were virtually all concentrated in the Childrens Shelters. However, a surprisingly large number of youngsters between the ages of six and 12 were admitted to JINS and Detention facilities. (See Table 8) 496 youngsters aged 12 or under were admitted to locked detention care in 1977 while 333 youngsters between the ages of six and 12 were sent to JINS facilities. Three counties, Essex, Middlesex and Cumberland admitted one or more children between the ages of six and eight to detention.

TABLE 7

AGE OF 1977 ADMISSIONS BY TYPE OF FACILITY

Age	Detention	JINS	Childrens Shelter	Total
0-5	-	4 (0.1%)	292 (25.9%)	296 (2.1%)
6-12	496 (5.4%)	329 (8.6%)	551 (48.9%)	1,376 (9.7%)
13-15	3,943 (42.9%)	2,171 (57%)	269 (23.8%)	6,383 (45.2%)
16-17	4,697 (51.2%)	1,305 (34.2%)	13 (1.2%)	6,015 (42.6%)
18 or Over	49 (0.5%)	1 (0.03%)	-	50 (0.4%)
BASE NUMBER	9,185 (100%)	3,810 (99.9%)	1,125 (99.8%)	14,120 (100%)
Don't Know*/ Not Available	1,296	643	119	2,058
TOTAL	10,481	4,453	1,244	16,178**
Mean Age	15.3	14.7	8.8	14.6

*Non-Respondents - Camden JINS and Detention, Ocean JINS and Detention, and Jersey City Childrens Shelter.

*Don't Know Respondents - Passaic Detention and Childrens Shelter, and Gloucester Detention.

**Two facilities reported a surplus of youngsters - Hudson Detention-13, and Essex Childrens Shelter-2.

TABLE 8

6-12 YEAR OLD ADMISSIONS IN 1977 TO EACH FACILITY

County	Detention		JINS		Childrens Shelters	
	# of 1977 Admissions 6-12	% of Facility's 1977 Admissions	# of 1977 Admissions 6-12	% of Facility's 1977 Admissions	# of 1977 Admissions 6-12	% of Facility's 1977 Admissions
Atlantic	17	5	24	8.8	-	-
Bergen	11	1.8	28	6.7	77	90.6
Burlington	12	3.3	38	8.2	-	-
Camden	N.A.	N.A.	N.A.	N.A.	-	-
Cumberland	30	4.7	23	12.1	-	-
Essex	83	5.9	11	3.4	486	70.1
Gloucester	2	0.6	-	-	-	-
Hudson	103	9	86	18.2	N.A.	N.A.
Hunterdon	-	-	-	-	-	-
Mercer	28	4.2	Boys 17 Girls 10	15.6 6.3	-	-
Middlesex	38	4.6	15	7.2	-	-
Monmouth	60	9.4	Boys 18 Girls 12	14.2 5.9	-	-
Morris	8	1.9	3	2.1	-	-
Ocean	N.A.	N.A.	N.A.	N.A.	-	-
Passaic	52	8.8	9	10.5	173	82.4
Salem	-	-	3	2	-	-
Somerset	3	2.3	13	10.2	-	-
Sussex	6	3.2	-	-	-	-
Union	36	5.8	23	6.4	107	78.1
Warren	7	3.1	-	-	-	-
TOTAL	496	5.4	333	8.7	843	74.9

The use of locked Detention facilities for youngsters of this age group raises serious questions. These institutions are primarily designed to provide secure custody for youngsters who constitute a threat to the community. As a result, the facilities tend to impose major restrictions on the activities of the youngsters and limit their freedom of movement and involvement with family and community.

In recognition of this problem, a number of national studies and standard-setting organizations have recommended restricting the use of detention for children below a certain age. Rosemary Sarri makes the following recommendations regarding age limits:

> Given the development of various alternatives to the use of jails and detention, states could well set higher age limits (for example, 15 years) for placing a youth in detention. Juveniles under that age could be placed in foster or shelter care and thus would not be exposed to older adolescents who may have committed serious felonies and might socialize younger persons to deviant values and behavior.[9]

In "Juvenile Detention in an Affluent County", Ferster and Courtless suggested that all children under 12 should be automatically considered non-detainable.[10]

Recent standards developed by the national Task Force on Juvenile Justice and Delinquency Prevention recommend that the juvenile court limit its jurisdiction to youngsters over 10.[11] The exclusion of all juveniles under the age of 10 from the delinquency jurisdiction of the court would preclude their placement in most states in locked facilities. Although New Jersey does not specifically prohibit the use of detention for youths 12 and under, the standards strongly suggest that most youngsters of this age group should be placed in foster homes rather than detention care.

The utilization of JINS and Childrens Shelters for younger children also raises some questions given the emphasis on use of the least restrictive alternative contained in the JJDP Act and other national and state guidelines. While it is true that shelter care does not represent the same type of drastic intervention in the lives of children that detention does, nevertheless separation and institutionalized care have an impact, particularly on very young children. In its report, the Governor's Advisory Committee points to the long-lasting effects of detention and shelter care:

> A juvenile's experiences in detention or shelter care will have long lasting influences on his or her attitudes toward society, self and the legal system. Detention can raise a juvenile's status in the eyes of peers and thus reinforce delinquent behavior. It may compound feelings of rejection and deteriorate already low self concepts.[12]

County of Residence

Annual admissions data for 1977 reveal that more than 85% of the youngsters reside in the same county as the temporary care facility in which they were placed. (See Table 9) A number of other youngsters are placed in nearby counties under formal agreements. Salem and Cape May Counties have a contractual agreement with Gloucester County for detention services for their youths and Atlantic County provides JINS Shelter care for a few youngsters from Cape May County.

It is interesting to note, however, that there were 1,000 children from out of state and 1,200 from out of county placed in the 42 facilities, representing nearly 15% of all admissions. Many of these youngsters are being held for transfer to another jurisdiction based on a runaway or delinquency complaint alleged in the home county or state.

As Table 10 reveals, Ocean County admitted the largest number and percentage of non-county residents -- 544 or 64% of its juveniles originally resided in other counties or states. Of these, 314 or 36.2% were from out of state or Canada. When Ocean County officials were contacted about this, they explained that large numbers of youngsters from other states under 18 visited the New Jersey shore during the summer and ended up in some type of trouble with the law.

National guidelines and standards generally have not specifically addressed the overall issue of the out of state placement of youngsters in temporary detention and shelter care, but most agree that detention is appropriate for youngster awaiting transfer to another jurisdiction.[13]

However, the practice of holding juveniles from out of state and other counties also has to be looked at from another perspective. Such practices appear to be in conflict with the OJJDP guidelines which require placement "in reasonable proximity to the family and the home community of such juveniles."[14] Although the federal regulations do not clearly define "reasonable proximity", "within 50 miles or an hour's drive" has become the guidelines for long-term facilities. Few of the youngsters from out of state and Canada meet this criteria.

Rates of Detention and Shelter Care

Considerable variation exists among the counties in their respective rates of detention and shelter care. Table 11 shows that Cumberland County had the highest rate of detention in relation to the population of youths aged 5-17. Its rate of 17.2 per 1000 population contrasts markedly with that of Hunterdon at the other end of the scale which had a rate of only 2.4 during the same year.

Based on interviews and data supplied by the two facilities, the differences in the rate appear to be related more to the size and adequacy of the respective facilities and the administrator's concept of the role played by detention than differences in behavior of the youngsters. To illustrate: Hunterdon County has a small Detention facility located within a jail which is staffed part-time by jail personnel. Their total expenditures in 1977 were $18,000. The administrator of this facility commented on the survey questionnaire that "most juveniles are detained less than 48 hours in this Detention facility."

TABLE 9

RESIDENCE OF 1977 ADMISSIONS BY TYPE OF FACILITY

RESIDENCE OF YOUNGSTER	TYPE OF FACILITY			TOTAL
	Detention	JINS	Childrens Shelter	
County in which facility located	8,648 (84.9%)	3,757 (84.8%)	1,237 (99.4%)	13,642 (86%)
Other New Jersey County	913 (9%)	282 (6.4%)	3 (0.2%)	1,198 (7.5%)
Other State	630 (6.2%)	394 (8.9%)	5 (0.4%)	1,029 (6.5%)
BASE NUMBER	10,191 (100.1%)	4,433 (100.1%)	1,245 (100%)	15,869 (100%)
Don't Know	289	20	-	309
TOTAL	10,480	4,453	1,245	16,178

*Actual total of 1977 admissions is 16,163; 2 facilities reported a surplus of 15 youngsters (Essex Detention - 12; Bergen Childrens Shelter - 3).

TABLE 10

RESIDENCE OF JUVENILES ADMITTED IN 1977 TO TEMPORARY CARE IN SELECTED COUNTIES

County	RESIDENCE OF JUVENILE				
	Within County	In Other NJ County Thru Formal Arrangement	In Other NJ County	In Other State Or Canada	TOTAL
Atlantic	73.5% (429)	1.5% (9)	8.9% (52)	16.1% (94)	100% (584)
Gloucester	39.2% (122)	37.6% (117)	5.1% (16)	18% (56)	99.9% (311)
Hunterdon	70.5% (31)	-	6.8% (3)	22.7% (10)	100% (44)
Ocean	36.2% (314)	-	36.2% (314)	27.6% (240)	100% (868)

TABLE 11

COUNTY RATES OF TEMPORARY CARE PER 1,000 POPULATION AGES 5-17

RANKED FROM HIGHEST TO LOWEST

Detention Rate		JINS Rate		Combined JINS/Det.Rate	
(1) Cumberland	17.2	(1) Atlantic	6.8	(1) Cumberland	23.3
(2) Salem	14.8	(2) Salem	6.2	(2) Salem	21.0
(3) Warren	12.3	(3) Cumberland	6.1	(3) Warren	15.9
(4) Ocean	9.6	(4) Ocean	5.5	(4) Atlantic	15.6
(5) Mercer	9.3	(5) Burlington	5.3	(5) Ocean	15.1
(6) Hudson	8.9	(6) Cape May	4.3	(6) Mercer	13.1
(7) Atlantic	8.8	(7) Mercer	3.8	(7) Hudson	12.6
(8) Sussex	8.2	(8) Hudson	3.7	(8) Burlington	9.4
(9) Passaic	7.1	(9) Warren	3.5	(9) Cape May	9.3
(10) Essex	6.6	(10) Union	3.0	(10) Essex	8.5
(11) Camden	5.7	(11) Camden	2.7	(11) Passaic	8.5
(12) Middlesex	5.3	(12) Monmouth	2.7	(12) Camden	8.4
(13) Union	5.2	(13) Bergen	2.1	(13) Sussex	8.4
(14) Monmouth	5.2	(14) Hunterdon	2.0	(14) Union	8.3
(15) Cape May	5.0	(15) Essex	2.0	(15) Monmouth	7.8
(16) Burlington	4.2	(16) Somerset	1.7	(16) Middlesex	6.6
(17) Gloucester	4.0	(17) Middlesex	1.4	(17) Morris	5.3
(18) Morris	3.9	(18) Passaic	1.4	(18) Bergen	5.1
(19) Bergen	3.1	(19) Morris	1.3	(19) Gloucester	5.1
(20) Somerset	3.0	(20) Gloucester	1.0	(20) Somerset	4.7
(21) Hunterdon	2.4	(21) Sussex	.2	(21) Hunterdon	4.3

COUNTY DETENTION RATE	COUNTY JINS RATE	COUNTY COMBINED RATE
Mean = 7.1	Mean = 3.2	Mean = 10.3
Standard Deviation = 3.8	Standard Deviation = 1.9	Standard Deviation = 5.2

It is clear from the information provided that Hunterdon County perceives its role as a temporary holding facility. On the other hand, Cumberland County has an extensive program with a large staff including social workers, consultants, psychologists, and its yearly expenditures in 1977 were $900,000. Conversations with the director clearly indicate that the staff of the facility sees their role as providing short-term rehabilitative services. The fact that more than 20% of their youngsters in residence on 2/16/78 had been in care over 30 days tends to corroborate this view.

Rates of Placement in JINS Facilities

Although placement in nonsecure JINS Shelters does not involve the same degree of restriction on the youngsters' freedom as detention, nevertheless, it does represent a deprivation of liberty for the youngsters. In recognition of this fact, the JJDP Act called for the deinstitutionalization of youngsters by reducing "the number of commitments of juveniles to any form of juvenile facility as a percentage of the state juvenile population" and placing such youngsters in the "least restrictive alternative."[15]

Because of the emphasis on deinstitutionalization, therefore, it is also important to assess the county rates of placement in JINS Shelters and look at the overall rate of placement in both secure and nonsecure facilities.

Overall, the variation among JINS Shelters in the rate of placement is somewhat higher than that found among Detention Facilities. (See Table 11)[16] Atlantic, Salem and Cumberland had rates of shelter care per 1000 population in excess of 6.0 while at the other end of the range Gloucester and Sussex had rates of 1.0 or less. The low rate of placements in the latter two counties. obviously result, at least in part, from the fact that neither county had its own JINS Shelter but has made arrangements for shelter care of its youngsters with neighboring counties, Atlantic, Salem and Cumberland Counties which have comparatively high rates, have their own facilities and their budgets are in excess of $100,000. Salem has recently built a new facility to house JINS youngsters which also accommodates youngsters from nearby Gloucester County.

Overall Rates of Placement in Detention and Shelter Care

When rates for Detention and JINS facilities are combined, the variation among the counties becomes even more apparent. Cumberland, which is highest on the scale, has a rate of 23.3 which is six times greater than that for Hunterdon, the County with the lowest rate on the chart. Such factors as geographical location and degree of urbanization do not appear to explain the differential since both of these counties are rural. The major difference between the two counties appears to be the existence of adequate bed space in the counties for the youngsters.

The standards on detention developed by the National Council on Crime and Delinquency point out: "Availability of beds in good detention homes generally stimulates overuse of detention."[17] Other studies at the national level have pointed to the same relationship between the availability of space in the facilities and increased use of detention and shelter care.[18]

The Standards of the Governor's Adult and Juvenile Justice Committee expressed considerable concern about the wide differential in the use of detention and shelter care among the counties.[19]

Although the Standards used a different formula in computing their rates (number of juveniles admitted to detention and shelter care divided by the number of delinquency complaints) their findings reveal similarities to those in this study. Their data showed that Warren had the highest rate of detention while that of Bergen was quite low. Their data on combined rates revealed that Cumberland, Warren and Atlantic were also among the counties with the highest rates. The Committee attributed the variations primarily to the application of criteria for detention and shelter care which was contained in the law.

The report of the Committee points out that the criteria contained in the law are intended to provide flexibility and permit discretion in their application. According to the report, this approach has the following results:

> The desires of local communities, as reflected in police and judicial discretion, may influence the detention of juveniles causing detention practices to become an outgrowth of local attitudes and tradition. Disparity in detention rates may indicate that the chance of detention may be based more upon where the juvenile is taken into custody then the nature of the offense charged or any other factor. Inconsistencies may also suggest criteria are perhaps overly broad and vague.[20]

In order to deal effectively with these problems, the Committee makes the following recommendations:

> Clearly defined criteria are needed to assist in detention and release decisions while ensuring their appropriateness. Structured, workable guidelines are necessary to reduce inconsistency in the handling of juveniles, the nature of programs and available services.[21]

FOOTNOTES - CHAPTER THREE

1. New Jersey, Juvenile Code Impact Study: Preliminary Draft, p. 95.
2. Ibid., p. 277.
3. Datesman, Susan K. and Frank R. Scarpitti, "Unequal Protection for Males and Females in the Juvenile Courts", in Theodore N. Ferdinand (ed.), Juvenile Delinquency: Little Brother Grows Up, Beverly Hills, CA, Sage Publications, (Sage Research Progress Series in Criminology, vol. 2), 1977, p. 63.
4. Chesney-Lind, Meda, "Judicial Paternalism and the Female Status Offender: Training Women to Know Their Place", Crime and Delinquency, 23 (2), April 1977, p. 124, pp. 126-127.
5. Sarri, Rosemary C., Under Lock and Key: Juveniles in Jails and Detention, National Assessment of Juvenile Corrections, Ann Arbor, Michigan, University of Michigan, 1974, p. 65.
6. U.S. National Advisory Committee on Criminal Justice Standards and Goals, Task Force on Juvenile Justice and Delinquency Prevention, Juvenile Justice and Delinquency Prevention, Washington, D.C., U.S. Government Printing Office, 1976, p. 788.
7. Ohmart, Howard, Reorganizing Youth Corrections in California, Long-Term PLanning Council of the California Department of the Youth Authority, Sacramento, CA, (Unpublished), April 1975.
8. New Jersey, Juvenile Code Impact Study: Preliminary Draft, p.266.
9. Sarri, R.C., Under Lock and Key: Juveniles in Jails and Detention, p. 70.
10. Ferster, Elyce and Thomas F. Courtless, "Juvenile Detention in an Affluent County", Family Law Quarterly, 3 (31), 1972, p. 31.
11. U.S. National Advisory Committee on Criminal Justice Standards and Goals, Juvenile Justice and Delinquency Prevention, p. 297.
12. New Jersey Governor's Adult and Juvenile Justice Advisory Committee, Standards and Goals for the New Jersey Criminal Justice System: Final Report, Trenton, SLEPA, 1977, p. 260.
13. Ferster, E. and T.F. Courtless, "Juvenile Detention in an Affluent County", p. 31.
14. Juvenile Justice and Delinquency Prevention Act of 1974, (P.L. 93-415), 42 U.S.C. 5601 et. seq.
15. Ibid., 42 U.S.C. 5633.

16. Although the range for the Detention facilities was greater, the proportionate difference among the JINS facilities was larger.

17. National Council on Crime and Delinquency, Standards and Guides for the Detention of Children and Youth. 2nd. ed. New York. 1961., p. 13.

18. Pawlak, Edward J., "Differential Selection of Juveniles for Detention", Journal of Research in Crime and Delinquency, 14 (2), July 1977, pp. 154-156.

    Sarri, R.C., Under Lock and Key, p. 18.

19. New Jersey Governor's Adult and Juvenile Justice Advisory Committee, Standards and Goals for the New Jersey Criminal Justice System, pp. 260-262.

20. Ibid., p. 261.

21. Ibid., p. 260.

CHAPTER FOUR

THE EXPERIENCE OF CHILDREN IN DETENTION AND SHELTER CARE

Although Detention and Shelter facilities are intended to provide "temporary care", there have been numerous indications in recent years that certain children spend long periods of time in these institutions. In order to determine whether the facilities truly are "temporary" and find out the reasons children enter care, the survey questionnaire requested information on prior admissions, length of stay, complaint status and the reasons for placement. This chapter summarizes the findings from this data in an attempt to characterize the experience of youngsters in these facilities and identify why they come into care.

Prior Admissions of Youngsters in Detention and Shelter Care

Data from the daily census shows that more than half of the youngsters in Shelter and Detention facilities on February 16, 1978 had been admitted to the same facility at least once previously. (See Table 12). Youths with histories of prior admissions were most likely to be in locked Detention facilities. Slightly more than 2/3 of all youngsters in detention had been readmitted at least once according to the survey questionnaire. Juveniles in JINS shelters had the lowest rate of readmissions. A little more than 40% of these youngsters had prior admissions, while nearly half of the youngsters in the five Childrens Shelters which were surveyed had a history of placement in those facilities.

Annual admissions data supplied by the facilities for 1977 reveals the same pattern (See Table 13). Of the 13,701 admissions for whom information was known, 5,930 or 44% were readmissions. Thus, a substantial group of youngsters in detention and shelter care can anticipate returning at least once and in some instances many times to the same facility. Certain facilities had unusually high numbers and percentages of readmissions. Seven Detention facilities and one Childrens Shelter stated that their readmissions actually exceeded their admissions. Those facilities were: Essex Detention, Mercer Detention, Middlesex Detention, Ocean Detention, Passaic Detention, Passaic Childrens Shelter, Somerset Detention and Warren Detention.

This data does not begin to address the related question of how many youngsters in detention and shelter care have had prior admissions to other types of temporary care. This issue will be examined in the second report which will look in depth at those youngsters who repeatedly move back and forth among various types of institutional care.

Little attention has been directed toward the question of "recidivism" in detention and shelter care either in New Jersey or at the national level, perhaps because these facilities generally have not been perceived as a major form of institutionalization. However, some research in the area of detention points to the impact of a prior court record on the detention decision.

TABLE 12

ADMISSION STATUS - DAILY POPULATION BY TYPE OF FACILITY

	TYPE OF FACILITY			
	Detention	JINS	Children's Shelter	Total
Admission Status	(N = 19)	(N = 18)	(N = 5)	(N = 42)
New Admissions	129 (33.6%)	109 (56.2%)	48 (52.2%)	286 (42.7%)
Readmissions	225 (66.4%)	85 (43.8%)	44 (47.8%)	384 (57.3%)
Base Number	384 (100%)	194 (100%)	92 (100%)	670 (100%)
Don't Know/ Not Available	30	–	4	34
TOTAL	414	194	96	704

TABLE 13

1977 ADMISSION TOTALS BY FACILITY:
ADMISSION STATUS, SEX, RACE, RESIDENCE

Facility	Total Number Admiss.	ADMISSION STATUS			SEX			RACE				RESIDENCE			
		New	Readmiss.	Don't Know	Male	Female	Don't Know	White	Black	Hispanic	Don't Know	Own County	Other Counties	Other State	Don't Know
Atlantic-Detention	340	-	-	340	300	40	-	134	185	21	-	242	32	37	29
Atlantic-JINS	273	219	54	-	160	113	-	141	118	14	-	187	29	57	-
Bergen-Detention	618	341	277	-	466	152	-	350	228	40	-	469	42	107	-
Bergen-JINS	420	287	133	-	204	216	-	304	104	12	-	306	45	69	-
Bergen-Childrens Shelter*	85	80	5	-	48	37	-	55	30	-	-	85*	1	2	-
Burlington-Detention	368	210	158	-	304	64	-	273	88	7	-	283	28	57	-
Burlington-JINS	462	326	136	-	258	204	-	332	123	7	-	379	15	68	-
Camden-Detention	731	-	-	731	611	120	-	303	288	105	35	610	56	11	54
Camden-JINS	328	-	-	328	146	182	-	182	108	30	8	308	-	-	20
Cumberland-Detention	635	406	229	-	514	121	-	365	185	85	-	533	102	-	-
Cumberland-JINS	190	184	6	-	105	85	-	142	34	14	-	184	3	3	-
Essex-Detention*	1,415	678	737	-	1,198	217	-	196	1,056	163	-	1,398*	17	12	-
Essex-JINS	319	237	82	-	120	199	-	59	236	24	-	309	4	6	-
Essex-Childrens Shelter	693	408	285	-	399	294	-	182	511	-	-	693	-	-	-
Gloucester-Detention	311	-	-	311	225	76	10	-	-	-	311	122	133	56	-
Hudson-Detention	1,145	593	552	-	952	193	-	367	408	370	-	1,070	6	12	57
Hudson-JINS	473	250	223	-	189	284	-	-	-	-	473	435	12	26	-
Hudson-Childrens Shelter	117	-	-	117	66	51	-	-	-	-	117	117	-	-	-
Hunterdon-Detention	44	38	6	-	36	8	-	43	-	1	-	31	3	10	-
Mercer-Detention	662	322	340	-	507	155	-	239	393	30	-	589	30	43	-
Mercer-JINS-Boys	109	89	20	-	109	-	-	68	36	5	-	104	1	4	-
Mercer-JINS-Girls	159	118	41	-	-	159	-	51	102	6	-	154	2	3	-
Middlesex-Detention	835	385	450	-	595	240	-	-	-	-	835	630	19	37	149
Middlesex-JINS	208	143	65	-	67	141	-	153	31	24	-	203	-	5	-
Monmouth-Detention	635	-	-	635	487	148	-	-	-	-	635	555	40	40	-
Monmouth-JINS-Boys	127	105	22	-	127	-	-	90	33	4	-	123	2	2	-
Monmouth-JINS-Girls	202	103	99	-	-	202	-	-	-	-	202	194	5	3	-
Morris-Detention	420	210	210	-	287	133	-	392	23	5	-	366	18	36	-
Morris-JINS	145	90	55	-	56	89	-	139	4	2	-	137	8	-	-
Ocean-Detention	553	173	380	-	346	207	-	-	-	-	553	175	260	118	-
Ocean-JINS	315	170	145	-	212	103	-	-	-	-	315	139	54	122	-
Passaic-Detention	588	282	306	-	486	102	-	172	277	137	2	546	27	15	-
Passaic-JINS	86	51	35	-	30	56	-	36	35	15	-	79	2	5	-
Passaic-Childrens Shelter	210	42	168	-	117	93	-	88	80	42	-	205	2	3	-
Salem-JINS	148	134	14	-	86	62	-	109	38	1	-	96	52	-	-
Somerset-Detention	132	64	68	-	98	34	-	115	17	-	-	117	15	-	-
Somerset-JINS	127	104	23	-	58	69	-	112	13	2	-	79	41	7	-
Sussex-Detention	188	116	72	-	150	38	-	185	3	-	-	150	27	11	-
Union-Detention	625	369	256	-	460	165	-	255	370	-	-	539	58	28	-
Union-JINS	362	241	121	-	142	220	-	198	158	6	-	338	9	15	-
Union-Childrens Shelter	137	102	35	-	77	60	-	50	70	17	-	137	-	-	-
Warren-Detention	223	101	122	-	171	52	-	-	-	-	223	223	-	-	-
TOTAL	16,163	7,771	5,930	2,462	10,969	5,184	10	5,880	5,385	1,189	3,709	13,639	1,200	1,030	309

*Bergen Childrens Shelter reported a surplus of 3 in their residence breakdown; Essex Detention reported a surplus of 12 in their residence breakdown.

Studies by Sarri, Pawlak and Sumner present data to illustrate the fact that a prior record increases the probability that youngsters will be held in detention.[1] Thus it appears the initial decision to detain can have a critical impact on the rest of the youngster's life and must therefore be viewed in this context.

Complaint Status of Juveniles in Detention and JINS Shelters

According to the statutes and standards, JINS Shelters and Detention facilities are intended to provide temporary care mainly to those youngsters who are awaiting disposition by the courts. Once the court has reached a decision, children are not supposed to remain in these facilities.

In general, the data from the daily census of February 16, 1978 shows that the majority of youngsters in the facilities were awaiting court disposition (See Table 14). 424 or nearly 80% of all youths with complaints were in care pending a court hearing, adjudication of their case or the dispositional hearing itself. However, the data clearly shows that a significant portion of the population do remain inthe facilities following disposition. Approximately 20% of all youngsters under care were placed on a post-dispositional basis contrary to state law and standards.

Of particular concern is the fact that nearly 10% of all juveniles in locked detention were awaiting residential placement in institutions and group homes which in New Jersey are virtually all nonsecure. Under the detention criteria, only juveniles who pose a threat to the community or are likely to miss their court appearance are eligible for detention in the first place. This group of youngsters awaiting placement would not meet either criteria. An additional 5% of the youngsters remaining in locked institutions were there awaiting diagnostic evaluations. Serious questions arise about the utilization of detention care for this group of youngsters as well.

It is also important to note that a higher percentage of JINS youngsters with complaints were in care on a post-dispositional basis than juveniles with delinquency complaints. Over ¼ of the JINS youngsters remained in the facilities following a court disposition. This situation can be attributed in part to the fact that many JINS children enter care because there is no adult to supervise them,as is discussed later in this chapter,and it is therefore difficult to find an alternative living arrangement for them when they are released.

The practice of holding juveniles with a complaint in Detention/JINS facilities on a post-dispositional basis is clearly not in accord with the intended objectives of temporary care in New Jersey nor with national standards. As a matter of fact, the National Task Force on JJDP recommends a more restricted definition of detention and shelter care. The Task Force believes it should be limited to placement of juveniles prior to the adjudicatory hearing.[2] The IJA/ABA Juvenile Justice Standards Project defines interim status as the entire portion of the juvenile court process from the point of arrest to the implementation of the dispositional placement, and recommends that time limits be set within which a court disposition

TABLE 14

CURRENT COURT STATUS OF JUVENILES WITH COMPLAINT BY TYPE OF FACILITY - DAILY POPULATION

COURT STATUS	TYPE OF FACILITY			TOTAL
	Detention	JINS	Childrens Shelter	
Pre-Dispositional:				
No court date set	96 (25.1%)	21 (13.9%)	-	117 (21.8%)
Court date set	91 (23.7%)	41 (27.1%)	1 (33.3%)	133 (24.8%)
Awaiting disposition	123 (32.1%)	49 (32.4%)	2 (66.7%)	174 (32.4%)
Post-Dispositional:				
Awaiting opening in residential placement	37 (9.7%)	19 (12.6%)	-	56 (10.4%)
Awaiting transfer to correctional facility	11 (2.9%)	1 (0.7%)	-	12 (2.2%)
Awaiting transfer to state institution	5 (1.3%)	6 (4%)	-	11 (2.1%)
Awaiting a diagnostic evaluation	20 (5.2%)	14 (9.3%)	-	34 (6.3%)
BASE NUMBER	383 (100%)	151 (100%)	3 (100%)	537 (100%)
No Complaint/	5	15	93	113
Don't Know	26	28	-	54
TOTAL	414	194	96	704

should be carried out. They recommend that dispositions be carried out within 15 days for all juveniles who are held in detention following conviction and within 30 days in all other cases.[3]

Although some states have enacted time limits on detention prior to adjudicatory hearings, none appear to have imposed limits applicable to the final stages of disposition and placement. Difficulties both in determining an appropriate disposition and in implementing that decision frequently cause juveniles to remain in temporary care for extended periods.

Patricia Wald has stated the view that a failure to complete court processing of a case within prescribed time limits should require release. Her rationale for this conclusion is expressed in the following statement:

> The curse of juvenile courts has always been their lack of appropriate disposition resources for the variety of problem children they handle. The availability of detention facilities for holding juveniles indefinitely in lieu of a proper final placement thus has proved a convenient device for avoiding reform. Therefore, post-adjudication and post-disposition detention must be strictly limited. After detention of (at most) a few weeks, release or transfer to a permanent placement should be mandatory. If a juvenile justice system in fact has no resources to treat or rehabilitate, the dilemma ought to be faced in open court and the juvenile released, if no proper placement is possible. A juvenile judge should not be allowed to feed the illusion, by recommending a placement or committing to an agency, that something is actually going to happen if it is not. Deadlines and absolute bars to detention may seem arbitrary, yet it is striking how frequently detention personnel ask for such limitations, realizing that they cannot cope with an unending stream of detainees.[4]

Length of Stay

Although most youngsters in care at the time of the daily census had been in the facility 30 days or less, nearly one-third had been in the program over 30 days. (See Table 15). As the chart clearly shows, the percentage of youngsters remaining for long periods of time was especially high in the Childrens Shelters -- more than 60% of the daily population had stayed at least 30 days. One also sees that the proportion of youngsters remaining over 30 days was somewhat higher in JINS Shelters than in detention.

The breakdown by county (Table 16) reveals differing patterns among the counties in the length of time children stay in care. Hunterdon and Ocean reported that they had no youngsters who had been in care over 30 days. On the other end of the scale, Essex provided information showing that more than half of the youngsters in their facilities had stayed over 30 days. These were extreme cases. The vast majority of the facilities reported that between 15 and 25% of their youngsters stayed over 30 days.

TABLE 15

LENGTH OF STAY - DAILY POPULATION BY TYPE OF FACILITY

LENGTH OF STAY	TYPE OF FACILITY DETENTION (N=19)	JINS (N=18)	CHILDRENS SHELTERS (N=5)	TOTAL (N=42)
30 Days or Less	309 (74.6%)	132 (68.7%)	38 (39.6%)	479 (68.2%)
31-60 Days	67 (16.2%)	31 (16.2%)	26 (27.1%)	124 (17.7%)
61-90 Days	27 (6.5%)	16 (8.3%)	5 (5.2%)	48 (6.8%)
91-120 Days	8 (1.9%)	9 (4.7%)	14 (14.6%)	31 (4.4%)
Over 120 Days	3 (0.7%)	4 (2.1%)	13 (13.5%)	20 (2.8%)
Base Number	414 (100%)*	192 (100%)*	96 (100%)*	702 (100%)*
Don't Know/ Not Available	-	2	-	2
TOTAL	414	194	96	704

* All figures were rounded to 100%

TABLE 16

LENGTH OF STAY - DAILY POPULATION BY COUNTY

ALL TYPES OF FACILITIES COMBINED

COUNTY	30 Days or Less	31-60 Days	61-90 Days	91-120 Days	Over 120 Days	Total Daily Population
Atlantic	24 (68.6%)	8 (22.9%)	2 (5.7%)	-	1 (2.8%)	35 (100%)
Bergen	36 (78.3%	4 (8.7%)	4 (8.7%)	1 (2.2%)	1 (2.2%)	46 (100%)
Burlington	25 (78.1%)	3 (9.4%)	2 (6.2%)	1 (3.1%)	1 (3.1%)	32 (100%)
Camden	29 (82.9%)	3 (8.6%)	1 (2.9%)	-	-	35*(100%)
Cumberland	19 (70.4%)	5 (18.5%)	2 (7.4%)	1 (3.7%)	-	27 (100%)
Essex	79 (46.5%)	50 (29.4%)	16 (9.4%)	17 (10%)	8 (4.7%)	170 (100%)
Gloucester	8 (88.9%)	1 (11.1%)	-	-	-	9 (100%)
Hudson	75 (85.2%)	7 (8%)	4 (4.5%)	1 (1.1%)	1 (1.1%)	88 (100%)
Hunterdon	1 (100%)	-	-	-	-	1 (100%)
Mercer	28 (68.3%)	9 (21.9%)	2 (4.9%)	1 (2.4%)	1 (2.4%)	41 (100%)
Middlesex	20 (71.4%)	5 (17.9%)	2 (7.1%)	-	1 (3.6%)	28 (100%)
Monmouth	20 (83.3%)	4 (16.7%)	-	-	-	24 (100%)
Morris	17 (85%)	2 (10%)	-	1 (5%)	-	20 (100%)
Ocean	5 (100%)	-	-	-	-	5 (100%)
Passaic	39 (70.9%)	7 (12.7%)	2 (3.6%)	2 (3.6%)	5 (9.1%)	55 (100%)
Salem	3 (75%)	1 (25%)	-	-	-	4 (100%)
Somerset	7 (58.3%)	2 (16.6%)	3 (25%)	-	-	12 (100%)
Sussex	3 (75%)	1 (25%)	-	-	-	4 (100%)
Union	34 (59.65%)	10 (17.5%)	6 (10.5%)	6 (10.5%)	1 (1.75%)	57 (100%)
Warren	7 (63.6%)	2 (18.2%)	2 (18.2%)	-	-	11 (100%)
TOTAL	479 (68%)	124 (17.6%)	48 (6.8%)	31 (4.4%)	20 (2.8%)	704 (100%)**

* The figure and percentage do not total because of missing information.
** All figures were rounded to 100%.

Essex and Union Counties had the highest proportion of youngsters staying 60 days or more, while Passaic County had the largest number and percentage of juveniles remaining in care over 120 days. The breakdown in Table 17 pinpoints those facilities which reported children who had remained in care for unusually long periods of time. Union County Childrens Shelter reported that nearly 50% of its children had been in the "temporary" residence more than 60 days while Essex and Union JINS Shelters reported more than 30% of their juveniles had remained 60 days or more. Essex, Passaic and Union Childrens Shelters had by far the largest concentration of youngsters staying over 90 days.

Neither the law nor Detention and Shelter Standards in New Jersey explicitly place limitations on the length of time youngsters may remain in these facilities. However, the Juvenile Code specifies that detention and shelter care should occur prior to disposition and requires frequent reviews of "temporary" placements. It is certainly arguable that the law did not contemplate using these facilities for longterm placement.

At the national level, standard-setting organizations have recommended the use of specific time limits at various points of the process to prevent excessive stays in detention. Recognizing that a speedy disposition is advantageous to both the state and the juvenile, the IJA-ABA Standards suggest that the entire detention process from arrest to disposition should be controlled by specific time requirements. Under these standards, the cases of juveniles who have been held in detention for more than 24 hours would proceed to trial within 15 days, while all other juvenile proceedings would occur within 30 days. The Standards also recommend establishing explicit grounds upon which an extension to these time periods would be granted. Similar time periods are recommended for carrying out the court disposition.[5]

There are also requirements for short time limits on adjudicating juvenile cases contained in the juvenile delinquency sections of the Federal Youth Corrections Act. This statute, which sets forth speedy trial rules for juvenile cases, requires that adjudication take place within 30 days from the date detention began. It also provides specified grounds for extensions of time and requires dismissal in situations where the time limits are not met.[6]

Finally, a number of well-known authors in the juvenile justice area have strongly criticized the excessive use of detention and at least one has advocated the use of defined time limits.[7] In her report on juveniles in jails and detention, Rosemary Sarri states:

> Statutes must not only specify restrictions and prohibitions as they apply to law enforcement, social agencies or court personnel (or parents), but they should also explicate desirable goals and conditions in unambiguous language.[8]

She recommends that criteria for detention be limited solely to acts that would be felonies which would require detention if they were committed by adults, and suggests that juveniles should not be held in detention longer than 14 days unless a special exception is obtained.[9]

Table 17

LENGTH OF STAY - DAILY POPULATION BY COUNTY AND TYPE OF FACILITY

COUNTY AND TYPE OF FACILITY	30 Days or Less	31-60 Days	61-90 Days	91-120 Days	Over 120 Days	Total Daily Population
Atlantic						
Detention	11 (52.4%)	7 (33.3%)	2 (9.5%)	-	1 (4.8%)	21 (100%)
JINS	13 (92.8%)	1 (7.1%)	-	-	-	14 (100%)
Bergen						
Detention	20 (90.9%)	1 (4.5%)	1 (4.5%)	-	-	22 (100%)
JINS	10 (62.5%)	3 (18.8%)	1 (6.2%)	1 (6.2%)	1 (6.2%)	16 (100%)
Childrens Shelters	6 (75%)	-	2 (25%)	-	-	8 (100%)
Burlington						
Detention	16 (84.2%)	2 (10.5%)	1 (5.3%)	-	-	19 (100%)
JINS	9 (69.2%)	1 (7.7%)	1 (7.7%)	1 (7.7%)	1 (7.7%)	13 (100%)
Camden						
Detention	18 (85.7%)	2 (9.5%)	1 (4.8%)	-	-	21 (100%)
JINS	11 (78.6%)	1 (7.1%)	-	-	-	14* (100%)
Cumberland						
Detention	14 (73.7%)	2 (10.5%)	2 (10.5%)	1 (5.3%)	-	19 (100%)
JINS	5 (62.5%)	3 (37.5%)	-	-	-	8 (100%)
Essex						
Detention	50 (54.3%)	25 (27.2%)	11 (12%)	5 (5.4%)	1 (1.1%)	92 (100%)
JINS	10 (41.7%)	5 (20.8%)	5 (20.8%)	4 (16.6%)	-	24 (100%)
Childrens Shelter	19 (35.2%)	20 (37%)	-	8 (14.8%)	7 (13%)	54 (100%)
Gloucester						
Detention	8 (88.9%)	1 (11.1%)	-	-	-	9 (100%)
Hudson						
Detention	57 (96.6%)	2 (3.4%)	-	-	-	59 (100%)
JINS	14 (56%)	5 (20%)	4 (16%)	1 (4%)	1 (4%)	25 (100%)
Childrens Shelters	4 (100%)	-	-	-	-	1 (100%)
Hunterdon						
Detention	1 (100%)	-	-	-	-	1 (100%)
Mercer						
Detention	16 (66.7%)	5 (20.8%)	2 (8.3%)	1 (4.2%)	-	24 (100%)
JINS-Boys	4 (57.1%)	2 (28.6%)	-	-	1 (14,3%)	7 (100%)
JINS-Girls	8 (80%)	2 (20%)	-	-	-	10 (100%)
Middlesex						
Detention	15 (68.2%)	4 (18.2%)	2 (9.1%)	-	1 (4.5%)	22 (100%)
JINS	5 (83.3%)	1 (16.7%)	-	-	-	6 (100%)
Monmouth						
Detention	11 (84.6%)	2 (15.4%)	-	-	-	13 (100%)
JINS-Boys	4 (100%)	-	-	-	-	4 (100%)
JINS-Girls	5 (71.4%)	2 (28.6%)	-	-	-	7 (100%)
Morris						
Detention	9 (90%)	1 (10%)	-	-	-	10 (100%)
JINS	8 (80%)	1 (10%)	-	1 (10%)	-	10 (100%)
Ocean						
Detention	2 (100%)	-	-	-	-	2 (100%)
JINS	3 (100%)	-	-	-	-	3 (100%)
Passaic						
Detention	26 (83.9%)	4 (12.9%)	-	1 (3.2%)	-	31 (100%)
JINS	8 (100%)	-	-	-	-	8 (100%)
Childrens Shelters	5 (31.3%)	3 (18.7%)	2 (12.5%)	1 (6.2%)	5 (31.3%)	16 (100%)
Salem						
JINS	3 (75%)	1 (25%)	-	-	-	4 (100%)
Somerset						
Detention	-	-	-	-	-	0
JINS	7 (58.3%)	2 (16.7%)	3 (25%)	-	-	12 (100%)
Sussex						
Detention	3 (75%)	1 (25%)	-	-	-	4 (100%)
Union						
Detention	25 (73.5%)	6 (17.6%)	3 (8.8%)	-	-	34 (100%)
JINS	5 (55.5%)	1 (11.1%)	2 (22.2%)	1 (11.1%)	-	9 (100%)
Childrens Shelter	4 (28.6%)	3 (21.4%)	1 (7.1%)	5 (35.7%)	1 (7.1%)	14 (100%)
Warren						
Detention	7 (63.6%)	2 (18.2%)	2 (18.2%)	-	-	11 (100%)
TOTAL	479 (68%)	124 (17.6%)	48 (6.8%)	31 (4.4%)	20 (2.8%)	704 (100%)**

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* The figure and percentage do not total because of missing information.
** All figures were rounded to 100%.

The Reasons Children Come Into Care

Reasons for Placement in Detention

The New Jersey law restricts the use of detention to youngsters charged with delinquent offenses who are not likely to appear at the court hearing or are charged with conduct which seriously threatens the "physical safety of the community."[10]

According to the information provided by the facilities on the questionnaire, the overwhelming majority of the children in detention on February 16, 1978 were there for one of these two official reasons. (See Table 18) The facilities reported that nearly 60% of the youngsters were placed because they posed a threat to the community while almost 30% were in care because they were deemed to be a "flight risk". For 13% of the youngsters, neither of these official reasons were given for their detention. Nearly half of this latter group was detained because of bench, probation and parole warrants while the remainder were in the facilities for a series of reasons which appear highly questionable.

According to New Jersey law, youngsters are not supposed to be held in secure facilities on a post-dispositional basis[11] awaiting placement or evaluation nor are they permitted to remain solely on the basis that they need out-of-home placement. The practice of detaining youngsters because their families are unable to provide care or because the youngsters require some type of "treatment" is clearly contrary to the intent of the statute.

National studies and standards have repeatedly emphasized the importance of limiting the use of detention because it is a drastic step which can have serious, damaging effects on youngsters. In order to prevent the inappropriate use of detention for youngsters who can safely remain in the community, various state and national standards have recommended developing more precise criteria governing detention decisions. Perhaps the most explicit set of standards is contained in the draft report of the Juvenile Justice Standards Project of the IJA and ABA Standard 6.6 - Guidelines for Status Decision which requires mandatory release unless the juvenile:

1. Is charged with a crime of violence which in the case of an adult would be punishable by a sentence of one year or more, and which if proven is likely to result in commitment to a security institution, and one or more of the following additional factors is present:

   (a) the crime charged is one of first or second degree murder;
   (b) the juvenile is currently in an interim status under the jurisdiction of the court in a criminal case, or is on probation or parole under a prior adjudication, so that detention by revocation of interim release, probation, or parole may be appropriate;
   (c) the juvenile is an escapee from an institution or other placement facility to which he or she was sentenced under a previous adjudication of criminal conduct;
   (d) the juvenile has a demonstrable recent record of willful failure to appear at juvenile proceedings, on the basis of which the official finds that no measure short of detention can be imposed to

TABLE 18

REASON FOR PLACEMENT IN DETENTION - DAILY POPULATION

	Number	Percentage
REASONS SPECIFIED UNDER THE LAW:		
Danger to community	244	57.7%
Flight risk	124	29.3%
TOTAL - OFFICIAL REASONS	368	87.0%
OTHER REASONS:		
Warrants (bench, probation, parole)	19	4.5%
Physical/mental condition of juvenile	6	1.4%
No appropriate adult custodian	5	1.2%
Hold for residential placement	5	1.2%
Other (e.g. await recall, hold for social investigation)	4	0.9%
No reason given by referral source	16	3.8%
TOTAL - NON-OFFICIAL REASONS	55	13.0%
TOTAL - OFFICIAL AND NON-OFFICIAL REASONS	423*	100.0%

*Total daily population in detention facilities was actually 414 youngsters, but 9 youngsters were reported to have 2 reasons each for placement.

reasonably ensure appearance; or

2. has been verified to be a fugitive from another jurisdiction an official of which has formally requested that the juvenile be placed in detention.[12]

The Juvenile Justice Standards Project and other national standards also recommend that detained juveniles be placed in the least restrictive setting that will adequately serve the purpose of detention.[13] According to the Juvenile Justice Standards Project, juveniles accused of delinquent offenses should be placed in nonsecure detention, preferably foster homes, unless "clear and convincing evidence indicates the probability of serious physical injury to others, or serious probability of flight to avoid appearance in court. Absent such evidence, the accused should be placed in an appropriate form of nonsecure detention, with a foster home to be perferred over other alternatives".[14]

Reasons for Placement (JINS)

The law governing admission to JINS Shelters permits placement for a wide variety of reasons. Youngsters charged with status offenses covered under the provisions of the Code may be placed in care because there is no adult who assumes responsibility, if the youngster's health or safety is endangered, if shelter care is needed to ensure a court appearance or if the juvenile's physical or mental condition prevents release.[15] Abandoned, dependent, neglected and abused children and those requiring care because of the parent's incapacity may also be placed on a short-term basis. Youngsters charged with delinquent acts who would be otherwise released except that they have no parent or guardian available for care also are eligible for admission.[16]

Despite the fact that virtually any youngster who has not been involved in dangerous delinquent acts is, at least, theoretically, eligible for placement, the large majority of the youngsters under care on February 16, 1978 were JINS youngsters. By far the most frequent official reason for placement given by officials was the lack of an appropriate adult custodian who agreed to care for the child. It can be seen on Table 19 that 50% of the juveniles were admitted on this basis.

A number of other reasons for placement were indicative of possible family problems as well. Approximately 13% of the youngsters placed for reasons which are not specified in the Juvenile Code were in care because they could not return home, had been abused or abandoned, or were awaiting some type of out-of-home placement.

Given the fact that the parent is the complainant in a large number of cases, this finding has serious implications for the entire system of out-of-home placements and deserves an indepth examination.[17]

A number of national organizations have recommended the elimination of court jurisdiction over youngsters charged with status offenses arguing that many of these youngsters are being stigmatized for problems which originate in the family and that the court is not equipped to deal effectively with these problems.[18]

TABLE 19

REASON FOR PLACEMENT IN JINS SHELTERS - DAILY POPULATION

	Number	Percentage
No appropriate adult custodian	98	48.8%
To secure juvenile's presence at hearing	22	10.9%
Protection of health/safety of juvenile	12	6.0%
Physical/mental condition of juvenile	9	4.5%
Awaiting or between residential placements	10	5.0%
Delinquency complaint	9	4.4%
Child abuse/neglect	5	2.5%
Foster home problems	4	2.0%
Nature of conduct charged is such that safety of community would be threatened	3	1.5%
Problems at home	3	1.5%
Youngster refuses to go home	2	1.0%
Other (e.g. transfer from detention, awaiting return home)	3	1.5%
No reason given by referral source	21	10.4%
TOTAL	201*	100.0%

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* Total daily population in JINS Shelters was actually 194 children, but 7 children at Passaic JINS were reported to have 2 reasons each for placement.

Perhaps the most outspoken advocate of this approach has been the National Council on Crime and Delinquency (NCCD). In a policy statement prepared in 1974, NCCD summarized their point of view in this fashion:

> As difficult as it may be to define solutions to noncriminal juvenile behavior, the judicial system is certainly not designed, equipped, or able to handle these problems.[19]

Obviously, a discussion of this complex and controversial topic is beyond the scope of this report. However, the issue is one which deserves attention in developing alternative policies for JINS youngsters.

Reasons for Placement in Children Shelters

The survey data showed that over 40% of the children in the five Childrens Shelters entered care because they were awaiting or between residential placement (See Table 20). The facilities reported that an additional 20% of the children had been abused, neglected or abandoned, and slightly more than 5% had no adult supervision. The remaining 16% had been placed because of inadequate housing, the hospitalization of parents, or miscellaneous other reasons. Fewer than 1% had been placed on a court petition. More than 90% of the children placed in this type of institutional care had been placed directly by DYFS, according to information provided on the questionnaires. From the data, it can be seen that the Childrens Shelters serve a very important function for DYFS as holding facilities while arrangements for long-term placement are made. This may account, at least in part, for the high proportion of children who experience readmissions and remain in the facilities for long periods of time. The fact that DYFS pays only a small portion of the cost of care for children in the shelters, yet is responsible for paying all costs of long-term residential placement except educational expenses, probably has an effect on the length of stay of these youngsters. (See Chapter VI for a discussion of this issue.)

The survey data clearly identified a group of children who, for varying reasons, were without adult caretakers and were placed in the Childrens Shelters.

Given the reasons these children are in care and their age, questions can be raised as to whether the Childrens Shelters constitute the "least restrictive alternative." Fully one quarter of the children admitted to the Childrens Shelters were age five or below and almost 75% of the youngsters admitted were 12 years old or younger (See Table 7). For the preschool youngster, in particular, it would appear far more appropriate for these youngsters to remain in the home or to be placed in foster homes if there was no member of the family who would assume care. This apparently happens in those counties which do not have Childrens Shelters.

The utilization of the Childrens Shelters for this population of dependent or endangered children deserves serious examination within the context of New Jersey laws and national standards. New Jersey law requires DYFS, in administering for the case of these children, to provide such care in a manner that the children may, so far as practicable, continue to live in their own homes.[20] The Task Force on Juvenile Justice and Delinquency Prevention and other national standards also recommend keeping youngsters with their families wherever possible through the use of supportive services such as day care, casework supervision and homemakers.[21] The Task Force report stresses the important role which emergency caretakers can play in preventing placement. In setting forth a standard for emergency removal of endangered children from the home, the Task Force recommends that emergency caretaking services should be established to reduce the incidence of removal. The commentary on this standard states:

> Emergency caretakers come into the home to provide care for the child on a temporary basis, and they should be utilized whenever possible. For example, if the child is in danger by virtue of being left unattended at home, the standard directs that an emergency caretaker be placed in the home until the parents return or enough time elapses to indicate that the parents do not intend to return home. In other cases involving two-parent homes where one parent alone is responsible for abuse, States may even wish to explore the possibilities of removing the offending parent and having a caretaker provide emergency assistance. These approaches are consistent with the overall judgement of these standards that removal of the child is a drastic step and should be avoided whenever other approaches will suffice. Moreover, such procedures should result in substantial cost savings by reducing the incidence of placement of children in out-of-home facilities.[22]

In situations where an endangered child must be removed from the home, the Task Force proposes the following standard:

> The child should usually be placed as close to his or her home as possible, preferably in the same neighborhood, and, the agency should be required to facilitate maximum parent-child contact, including visitation and participation by the parent in the care of the child while in placement, unless otherwise ordered by the family court.[23]

When is is deemed necessary to remove youngsters from their homes, national studies and standards strongly recommend that every effort be made to place children in the least restrictive alternative consonant with their needs and behavior.[24]

In its recent study examining the plight of children in all types of out of home placement, the Children's Defense Fund urges that states set up statutory frameworks "designed to prevent unnecessary out of home placements; ensure that each placement is in the least restrictive setting appropriate to the child's needs."[25]

Some progress has been made in this area. DYFS currently has a limited federal grant for a program to find emergency foster homes for adolescents. The program is designed to reduce the necessity for institutional placement for these children. In exchange for a monthly retainer, participating foster parents must partake in special training and accept any children at any time, day or night. These children range in age from 13 to 18, many of whom would otherwise be placed in the Childrens Shelters.

Alternatives such as this program should be expanded, and others designed to minimize institutional placement should be encouraged.

TABLE 20

REASON FOR REFERRAL TO CHILDRENS SHELTER
DAILY POPULATION

Reasons	Number	Percentage
CHILDREN WITH NO COMPLAINT		
Awaiting/Between Placements	42	43.8%
Child Abuse/Neglect	30	31.3%
Inadequate Housing	6	6.3%
Hospitalization of Parent	5	5.2%
No Adult Supervision	5	5.2%
Other	5	5.2%
CHILDREN WITH JINS COMPLAINT		
Placement is necessary to protect the health and safety of the child	3	3.1%
TOTAL	96	100.1%

FOOTNOTES - CHAPTER FOUR

1. Sarri, Rosemary C., "The Detention of Youth in Jails and Juvenile Detention Facilities", Juvenile Justice, 24 (3), November 1973, p. 7.

   Pawlak, E.J., "Differential Selection of Juveniles for Detention", pp. 157-160.

   Sumner, Helen, "Locking Them Up", Crime and Delinquency, 17 (1), April 1971, pp. 174-175.

2. U.S. National Advisory Committee on Criminal Justice Standards and Goals, Juvenile Justice and Delinquency Prevention, p. 661.

3. IJA/ABA, Standards Relating to Interim Status, p. 90.

4. Wald, Patricia M., "Pretrial Detention for Juveniles", in Margaret K. Rosenheim (ed.) Pursuing Justice for the Child, Chicago, Illinois, University of Chicago, 1976, pp. 126-127.

5. IJA/ABA, Standards Relating to Interim Status, p. 90.

6. 18 U.S.C. 5036. Also see 18 U.S.C. 5031 et. seq., June 25, 1948 C 645, 62 Stat. 857 as amended by P.L. 93-415, September 7, 1974, Title V, 506, 88 Stat. 1136.

7. Sarri, R.C., Under Lock and Key: Juveniles in Jails and Detention, p. 69

   Hammergren, Donald R., "The Role of Juvenile Detention in a Changing Juvenile Justice System", Juvenile Justice, November 1973, p.46.

   Rosenheim, Margaret K., "Detention Facilities and Temporary Shelters", in Donnel M. Pappenfort, Dee Morgan Kilpatrick and Robin Roberts (eds.) Child Caring: Social Policy and the Institution, Chicago, Illinois, Aldine, 1973, pp. 258-259.

   Wald, P.M., "Pretrial Detention for Juveniles," p. 121.

8. Sarri, R.C., Under Lock and Key: Juveniles in Jail and Detention, p. 67.

9. Ibid., p. 69.

10. See Appendix, Exhibit VI, Section 2A:4-56 b.

11. See Appendix, Exhibit VI, Sections 2A:4-56 b & c.

12. IJA/ABA, Standards Relating to Interim Status, pp. 28-29.

13. Ibid., p. 56.

    U.S. National Advisory Committee on Criminal Justice Standards and Goals, Juvenile Justice and Delinquency Prevention, p. 440.

14. IJA/ABA, Standards Relating to Interim Status, p. 30.

15. See Appendix, Exhibit VI, Section 2A:4-56 c.

16. New Jersey, Department of Institutions and Agencies, A Manual of Standards for Shelters Accepting Juveniles Awaiting Court Disposition, January 1975, p. 8.

17. New Jersey, Juvenile Code Impact Study: Preliminary Report, p. 260.

18. National Council on Crime and Delinquency, Board of Directors, "Jurisdiction Over Status Offenses Should be Removed From the Juvenile Court: A Policy Statement", Crime and Delinquency, 21(2), April 1975, pp. 97-99.

Andrews, Hale R. and Andrew H. Cohn, "Ungovernability: the Unjustifiable Jurisdiction", Yale Law Journal, 83(7), June 1974, pp. 1383-1409.

Sarri, Rosemary C., "Status Offenders: Their Fate in the Juvenile Justice System" in Richard Allinson (ed.) Status Offenders and the Juvenile System, An Anthology, Hackensack, New Jersey, NCCD, 1978, pp. 61-77.

19. NCCD, "Jurisdiction Over Status Offenses Should be Removed From the Juvenile Court: A Policy Statement", p. 99.

20. P.L. 1951, c138; N.J.S. 30:4C-3(a).

21. U.S. National Advisory Committe on Criminal Justice Standards and Goals, Juvenile Justice and Delinquency Prevention, p. 484.

22. Ibid., p. 396.

23. Ibid., p. 494.

24. Ibid., p. 486.

See also Children's Defense Fund, Children Without Homes: An Examination of Public Responsibility to Children in Out of Home Care, 1978, Washington, D.C.

25. Ibid., p. 10.

CHAPTER FIVE

SERVICES TO CHILDREN IN DETENTION AND SHELTER CARE

The damaging effects of institutionalization on children have been described in many reports and studies.[1] Children are separated from their families and community and asked to adjust to entirely new routines in an alien environment. While placement in institutional care may be necessary under certain circumstances to save the child from harm, provide essential services or protect the community, nevertheless removal from the home often has negative consequences. These effects are magnified if the youngsters are forced to tolerate periods of "enforced idleness" without healthy outlets for their energy and opportunities for personal growth and development.[2]

Detention and Shelter care facilities have been frequently criticized for failing to provide adequate programs to occupy youngsters in their care.[3] Because they are designed to be temporary and frequently lack sufficient funding, these institutions traditionally have not offered the range of programming found in many other types of institutional care. While national studies generally acknowledge that these facilities are not equipped to develop extensive rehabilitation services, even if this were desirable, the writers have pointed to the importance of offering various types of "treatment" programs to minimize the disruptive effect of separation, ease the transition back to the community and provide a chance for youths to develop or improve skills.[4] While there is no consensus on guidelines which specifically address the types of services which should be provided, there appears to be general agreement that effective programs must include at least three key components: educational services, recreational activities and some type of counseling or social work services.

The Task Force on Juvenile Justice and Delinquency Prevention and other standard-setting organizations also emphasize the importance of offering these services in the community wherever possible in order to minimize the disruptive effects of isolation in institutional care and provide youngsters with experiences which resemble family life. The Task Force report states the point succinctly:

> Institutions or homes to which adjudicated delinquents are committed should be no less like the community than is necessary. Facilities should approximate the home life available to non-adjudicated children as closely as possible.[5]

In an attempt to measure the nature and types of services currently provided by Detention and Shelter care facilities in New Jersey, this Chapter will provide descriptive information supplied by the 42 facilities included in the survey on educational, recreational and counseling services. These programs will be assessed in the light of state and national standards and policy.

Education in Temporary Care

The inadequacy of educational programs for children in detention and shelter care in New Jersey has been described in several reports. The New

Jersey Governor's Adult and Juvenile Justice Advisory Committee, which has prepared the only major report dealing with services in these facilities points out:

> While some facilities in New Jersey have extensive educational programs and support services, many offer only minimal services. Traditional methods of teaching and schoolroom settings have seldom proven effective in detention facilities. Children bring to the detention or shelter classroom 'years of bitter resistance to school, rooted in frustration and failure.'[6]

In recent months, a special task force on education established by ACNJ has studied this issue and prepared an internal document recommending amendments to S1413, a bill now before the New Jersey Senate which is designed to remedy a number of financial barriers which impede the provision of these needed services. The document states:

> Children in these types of residential facilities have very acute educational needs. Most have a long history of failure and frustration in the public schools. They are commonly three to five years below grade level in basic academic skill areas. Most have been out of school, whether suspended, expelled or simply truant, for weeks or months prior to placement in a county facility. A significant fraction have specific learning disabilities that have gone undiscovered and unaddressed in the public schools.
>
> The quality of educational programs and services that children in the county residential institutions receive varies widely from county to county. Existing statutes do not clearly establish the fiscal and programmatic responsibilities of local school districts, county government, and the state to these children.
>
> Some counties have voluntarily established and supported in house educational programs or have obtained staff and supplies from local school districts. Other programs have successfully placed children in the public school programs in the community. In all the counties' educational programs are tightly constricted by inadequate resources. Indeed, in some counties the programs barely operate at all.
>
> The net effect of this situation is that many children in county residential institutions do not receive an equal educational opportunity or a 'Thorough and Efficient' education as mandated by the New Jersey Constitution as construed by the State Supreme Court.[7]

In the following pages, a description of the programs will be provided in the context of state and national standards in an attempt to determine to what extent these reports accurately characterize educational programs in detention and shelter care.

Educational Services in Detention Facilities

Requirements of the Standards

The Detention Standards are fairly explicit about the educational services which must be provided by the facilities although they omit any mention of the number of class hours per day which must be offered to the residents. The Standards require programs to operate on a 12-month basis although modifications are permitted when public schools are not in session. A full-time teacher must be employed in facilities with an average daily population of seven or more while part-time teachers are permitted in the smaller programs. According to the Standards, class size cannot exceed 15 students.[8]

Survey Findings

According to the survey data, every Detention facility except one conducted an educational program of some type. (See Table 21). Somerset County does not provide a program, stating that its average daily population is only one and any child remaining in detention for more than three days is transferred to the Middlesex County Detention facility which does have an educational program.

All but one of the facilities which has an average daily population of seven or more had at least one full-time teacher. Atlantic County, which shares its educational staff with Harborfields, a correctional facility, was the only exception. All of the smaller Detention facilities had at least one part-time teacher.

Considerable variation existed among the counties in the level of educational services provided. The range extended from Warren and Cumberland Counties which provided only one hour of daily instruction to Monmouth, Middlesex and Hudson Counties which reported offering six hours daily. Although school attendance for youths under 16 was mandatory in most facilities, Burlington, Essex and Middlesex permitted voluntary attendance.

Although the Standards recommend that children held in detention be allowed to attend schools in the community wherever possible,[9] virtually none of the children attended local schools. Only four counties reported using local schools at all and the proportion of youngsters was exceedingly small. Cumberland and Mercer reported that only one percent of their children used community schools while Warren reported three percent of their youngsters attended local schools.

Educational Services in JINS Shelters

Requirements of the Standards

The Standards governing JINS facilities are very vague and, unlike those for Detention, make no mention of student/teacher ratios or class size. They do require the facility to obtain previous school records and develop an educational plan for youngsters who are expected to remain for more than one week. The Standards encourage the use of community schools and require facility staff to have regular contacts with the school.[10]

TABLE 21

EDUCATIONAL SERVICES IN DETENTION FACILITIES

Detention Facility	Type of Program	% of Children Involved	Hrs. Per Day a Child Attends	Nature of Attendance	App. Teacher Student Ratio
Atlantic	In-house	90%	3	Voluntary Over 16 Mandatory Under 16	1:12
Bergen	In-house	100%	5	Mandatory	1:8
Burlington	In-house	90%	3	Voluntary	1:12
Camden	In-house	100%	4	Mandatory	1:8
Cumberland	Community	1%	-	-	-
	In-house	95%	1	Mandatory	1:6
Essex	In-house	67%	4	Voluntary	1:10
Gloucester	In-house	100%	3	Mandatory	1:10
Hudson	In-house	60%	6	Mandatory	1:8
Hunterdon	In-house	10%	2	Mandatory	1:1
Mercer	Community	1%	-	-	-
	In-house	95%	4	Voluntary Over 16 Mandatory Under 16	1:8
Middlesex	In-house	95%	6	Voluntary	1:8
Monmouth	In-house	100%	6	Mandatory	1:7
Morris	In-house	85%	4	Voluntary Over 16 Mandatory Under 16	1:15
Ocean	In-house	100%	4	Mandatory	1:6
Passaic	In-house	100%	5	Mandatory	1:10
Somerset	-	-	-	-	-
Sussex	Community	3%	-	-	-
	In-house	100%	2	Mandatory	1:6
Union	In-house	100%	3	Mandatory	1:10
Warren	Community	1%	-	-	-
	In-house	90%	1	Mandatory	1:3

Survey Findings

All of the JINS programs have made some provision for educational services either within the community or in the facility. (See Table 22). Most facilities utilize both an on-grounds program and community schools. However, the overwhelming majority of children in most of these facilities attended on-grounds schools. Atlantic, Bergen and Somerset Counties were the only counties which had at least 40% of their children attending community schools while Mercer County was the only one which relied entirely on community schools. The Monmouth Girls Shelter, Morris, Ocean and Union Counties utilized on-grounds schools exclusively. It is interesting to note that more than a quarter of the residents in Cumberland and Atlantic Counties attended school both in the community and in the facility.

Although the Shelter Standards do not mention the student/teacher ratio, it was 1:15 or less in all facilities except Passaic, which had a 1:17 ratio. The average number of classroom hours offered to JINS children was somewhat greater than those available to youths in detention. The range was from one hour in the Atlantic facility to six in Bergen, Essex, Hudson and the Monmouth Girls Shelter. Attendance was mandatory in all facilities except the Essex program.

Educational Services in Childrens Shelters

Survey Findings

Although there are no standards governing Childrens Shelters, all but one of the facilities included in the survey did report that they provided an educational program. (See Table 23). The Jersey City Childrens Shelter does not offer any educational program based on the rationale that children remain in the facility for one day or less. Bergen is the only facility which relies entirely on local schools. On the other hand, Essex and Union reported that they used on-grounds schools exclusively. According to the survey data, Passaic JINS Shelter uses both an in-house program and community schools, although only 2% attend the local schools. The number of class hours ranged from one in Union to six in Essex.

Overview

From the survey data, it is clear that there is a wide differential among the counties in the nature and level of educational services. To a large degree this is due to the fact that the law does not clearly specify the fiscal and programmatic responsibility of the state, county and local school districts to these children. The counties, faced with competing demands for scarce resources, are limited in their ability to improve or expand the programs, and as a result, children housed in these facilities do not receive an equal educational opportunity or a thorough and efficient education as required by New Jersey law.[11]

Recreational Services in Temporary Care

Following recommendations of numerous national standard-setting bodies, the New Jersey Governor's Adult and Juvenile Justice Advisory Committee on Standards and Goals recommended that:

TABLE 22

EDUCATIONAL SERVICES IN JINS SHELTERS

JINS Facility	Type of Program	% of Children Involved	Hrs. Per Day a Child Attends	Nature of Attendance	App. Teacher Student Ratio
Atlantic	Community	50%	-	-	-
	In-house	74%	1	Mandatory	1:4
Bergen	Community	40%	-	-	-
	In-house	50%	6	Mandatory	1:4
Burlington	Community	5%	-	-	-
	In-house	95%	4	Mandatory	1:14
Camden	Community	1%	-	-	-
	In-house	99%	4	Mandatory	1:5
Cumberland	Community	27%	-	-	-
	In-house	100%	2	Mandatory	1:7
Essex	Community	1%	-	-	-
	In-house	99%	6	Voluntary	1:12
Hudson	Community	12%	-	-	-
	In-house	88%	6	Mandatory	1:10
Mercer (Boys)	Community	100%	-	-	-
Mercer (Girls)	Community	100%	-	-	-
Middlesex	Community	30%	-	-	-
	In-house	70%	5	Mandatory	1:4
Monmouth (Bcys)	Community	5%	-	-	-
	In-house	95%	5	Mandatory	1:5
Monmouth (Girls)	In-house	100%	6	Mandatory	1:8
Morris	In-house	100%	3	Mandatory	1:10
Ocean	In-house	100%	4	Mandatory	1:5
Passaic	Community	1%	-	-	-
	In-house	99%	5	Mandatory	1:17
Salem	Community	10%	-	-	-
	In-house	90%	4	Mandatory	1:12
Somerset	Community	40%	-	-	-
	In-house	60%	3	Mandatory	1:8
Union	In-house	100%	5	Mandatory	1:4

TABLE 23

EDUCATIONAL SERVICES IN CHILDRENS SHELTERS

Childrens Shelter	Type of Program	% of Children Involved	Hrs. Per Day a Child Attends	Nature of Attendance	App. Teacher Student Ratio
Bergen	Community	100%	-	-	-
Essex	In-house	100%	6	Mandatory	1:10
Hudson	-	-	-	-	-
Passaic	Community	2%	-	-	-
	In-house	98%	5	Mandatory	1:10
Union	In-house	90%	1	Mandatory	1:12

TABLE 25 STAFF CHARACTERISTICS FOR ALL TEMPORARY CARE FACILITIES

JOB TITLE/ POSITION	STAFF	TIME WORKED				HIGHEST LEVEL OF EDUCATION						Number in Salaried Positions	Number in Volunteer Positions	Number of Student Interns
	Number On Staff	Number Full Time	Number Part Time	Number Consulting	Don't Know	Number Less Than High Sch.	Number High Sch. Graduate	Number Some College	Number BA, BS Degree	Number Graduate Degree	Don't Know			
Director/ Superintendent	38 (2.7%)	(97.4%) 37	(2.6%) 1	-	-	-	(13.2%) 5	(5.3%) 2	(31.6%) 12	(50%) 19	-	(100%) 38	-	-
Business (e.g. Adm.Asst., Acct.)	28 (1.95%)	(75%) 21	(25%) 7	-	-	-	(25%) 7	(28.6%) 8	(35.7%) 10	(10.7%) 3	-	(100%) 28	-	-
Clerical	68 (4.8%)	(85.3%) 58	(14.7%) 10	-	-	(1.5%) 1	(72.1%) 49	(23.5%) 16	(1.5%) 1	(1.5%) 1	-	(98.5%) 67	(1.5%) 1	-
Child Care Workers	710 (49.7%)	(68.9%)489	(26.2%)186	-	(4.9%) 35	(4.5%) 32	(43.9%)312	(23.2%)165	(21.1%)150	(1.1%) 8	(6.1%) 43	(98.3%)698	(1.1%) 8	(0.6%)
Child Care Supervisors	97 (6.8%)	(96.9%) 94	(3.1%) 3	-	-	(3.1%) 3	(36.1%) 35	(29.9%) 29	(24.7%) 24	(21%) 2	(4.1%) 4	(100%) 97	-	-
Social Workers	40 (2.8%)	(77.5%) 31	(20%) 8	-	(2.5%) 1	-	-	(25%) 1	(57.5%) 23	(40%) 16	-	(95%) 38	-	(5%)
Teachers	63 (4.4%)	(90.5%) 57	(6.3%) 4	-	(3.2%) 2	-	-	(7.9%) 5	(74.6%) 47	(17.5%) 11	-	(100%) 63	-	-
Registered Nurses	31 (2.2%)	(48.4%) 15	(41.9%) 13	(3.2%) 1	(6.5%) 2	-	(12.9%) 4	(35.5%) 11	(45.2%) 14	-	(6.5%) 2	(100%) 31	-	-
Physicians	28 (1.95%)	(7.1%) 2	(50%) 14	(39.3%) 11	(3.6%) 1	-	-	-	-	(100%) 28	-	(100%) 28	-	-
Recreation Workers	33 (2.3%)	(66.7%) 22	(30.3%) 10	-	(3%) 1	-	(12.1%) 4	(33.3%) 11	(45.5%) 15	(6.1%) 2	(3%) 1	(90.9%) 30	-	(9.1%)
Psychiatrists	8 (0.6%)	-	(37.5%) 3	(62.5%) 5	-	-	-	-	-	(100%) 8	-	(100%) 8	-	-
Psychologists	19 (1.3%)	(15.8%) 3	(31.6%) 6	(52.6%) 10	-	-	-	-	-	(100%) 19	-	(100%) 19	-	-
Housekeeping/ Maintenance	75 (5.2%)	(72%) 54	(18.7%) 14	-	(9.3%) 7	(22.7%) 17	(64%) 48	(2.7%) 2	-	(1.3%) 1	(9.3%) 7	(100%) 75	-	-
OTHER (1) Arts & Crafts	25 (1.7%)	(20%) 5	(80%) 20	-	-	(52%) 13	(12%) 3	(8%) 2	(28%) 7	-	-	(36%) 9	(64%) 16	-
(2) Ed. Staff	28 (1.95%)	(17.9%) 5	(78.6%) 22	(3.6%) 1	-	-	(10.7%) 3	(14.3%) 4	(32.1%) 9	(14.3%) 4	(28.6%) 8	(25%) 7	(75%) 21	-
(3) Maint./Sec.	44 (3.1%)	(77.3%) 34	(22.7%) 10	-	-	(25%) 11	(63.2%) 30	(6.8%) 3	-	-	-	(100%) 44	-	-
(4) Soc. Serv.	29 (2%)	(58.6%) 17	(34.5%) 10	(6.9%) 2	-	-	(6.9%) 2	(31%) 9	(51.7%) 15	(6.9%) 2	(3.4%) 1	(86.2%) 25	(10.3%)	(3.4%)
(5) Med. Serv.	3 (0.2%)	-	(100%) 3	-	-	-	-	-	(33.3%) 1	(66.7%) 2	-	(100%) 3	-	-
(6) Clerical	11 (0.8%)	(100%) 11	-	-	-	-	(18.2%) 2	(63.6%) 7	(18.2%) 2	-	-	(100%) 11	-	-
(7) Clergy	7 (0.5%)	-	(85.7%) 6	(14.3%) 1	-	-	(14.3%) 1	-	(71.4%) 5	(14.3%) 1	-	(85.7%) 6	(14.3%) 1	-
(8) Stud. Int.	36 (2.5%)	-	(58.3%) 21	(41.7%) 15	-	-	(2.8%) 1	(91.7%) 3[illegible]	(5.6%) 2	-	-	-	(2.8%) 1	(97.2%) 3[illegible]
(9) Prog. Coord.	5 (0.3%)	(100%) 5	-	-	-	-	-	-	(80%) 4	(20%) 1	-	(100%) 5	-	-
(10) Exec. Staff	4 (0.3%)	(75%) 3	(25%) 1	-	-	-	-	(25%) 1	(25%) 1	(50%) 2	-	(100%) 4	-	-
Total Number of Employees	1,430 (100.1%)	(67.3%)963	(26%)372	(3.2%) 46	(3.4%) 49	(5.4%) 77	(35.4%) 5[illegible]	(21.6%)309	(23.9%)342	(9.1%)130	(4.6%) 66	(93.3%)1334	(3.6%) 5[illegible]	(3.1%) 4[illegible]

> Detention and shelter facilities should have access to a full range of supportive programs, including education, library, recreation, arts and crafts, music, drama, writing, and entertainment. Outdoor recreational areas are essential.[12]

Such supportive recreational opportunities are critical in temporary care facilities, for as Margaret Rosenheim stated:

> Enforced idleness surely strains the endurance of children, especially adolescents, more than adults. Commitment to detention is too frequently time on ice...To a visitor to detention homes the large screen T.V. bolted high up to the wall and the dog-eared comics and old magazines testify to the way in which many hours are spent.[13]

Recreational Services in Detention

Requirements of the Standards

The Standards governing Detention facilities require that all facilities have both outdoor and indoor areas for recreational activities. Outdoor play areas must be at least 200 x 200 feet and "enclosed by a security fence which does not reflect a punitive environment."[14] The facility must contain an indoor activity room which should be large enough to accommodate the entire population at one time as well as other recreational areas such as a television room.

In relation to community involvement, the New Jersey Detention Standards specify:

> When feasible, juveniles should be allowed to participate in recreational, educational and cultural activities in the community (and) maximum utilization should be made of existing community resources in planning for community activities.[15]

Survey Findings

All but three of the facilities had some outside play area although few of the fenced-in areas met the size requirements. Several of the facilities reported having open playing fields that were used for baseball and similar sports. Hunterdon, Mercer and Somerset indicated they had no outdoor play areas which were reserved for the exclusive use of the facility. Somerset reported no outdoor play area at all while Hunterdon stated they used a small community park adjacent to the jail. Mercer indicated that the residents play baseball and volleyball but did not specify where these activities took place. All of the facilities except Hunterdon indicated that they had indoor recreational space of some variety. A number of the facilities appeared to have extensive, well-equipped areas while others were more limited. Eight facilities reported having their own gymnasiums, although some at least were not of regulation size. A number mentioned the availability of equipment for ping-pong, boxing and weightlifting. Hunterdon was the only facility which did not have any indoor recreational space outside of a room used for television watching. Unfortunately, since the Hunterdon facility prohibits mixing of the sexes, this room can be used by only one sex at any given time.

Despite the fact that the Standards encourage community involvement of the youths, only three Detention facilities stated that residents were involved in such recreational activities. (See Table 24). Camden and Mercer reported that approximately 20% of their residents participated in community recreational programs for four to five hours per week while Sussex County stated that all of their residents engaged in community activities for approximately three hours per week.

Recreation Services in JINS Facilities

Requirements of the Standards

In contrast to the Detention Standards, the Shelter Standards are very general and only specify that "the shelter must provide and allow for a balanced activity, athletics and leisure time program." The shelter must "encourage the use of community resources and provide in-house resources."[16] The nature of those resources are not delineated.

Survey Findings

All of the JINS programs mentioned that they had some type of outdoor play area set aside for the use of the residents except Hudson, Mercer-Girls and Monmouth-Boys. Hudson JINS reported that they used community resources extensively while Mercer-Girls and Monmouth-Boys are physically located in recreational facilities which include pools and gymnasiums.

All of the JINS programs currently have indoor areas set aside for recreational programs and seven of the facilities reported that children had access to gymnasiums. Most of the facilities reported that youngsters were participating in recreational activities in the community. Twelve of the facilities stated that all of their residents were involved in community programs for at least a few hours weekly and two of these mentioned that during the summer youngsters participated in local activities for 30 hours per week. Mercer-Girls which is located in the YWCA was the only JINS program that reported no community activity, probably because of its location. (See Table 24).

Recreation Services in Childrens Shelters

Survey Findings

Since there are no Standards governing the operation of Childrens Shelters, there are no requirements about recreational services in these institutions. Four of the five facilities included in the survey reported that they had outdoor play areas reserved for the use of their children. Jersey City Childrens Shelter was the only facility which did not have its own play area. According to information supplied in an interview with the Director, the Shelter relies on a city playground a number of blocks away for recreational activities of the children. Since most of the children are under twelve, questions must be raised about the accessibility of this area.

COMMUNITY RECREATIONAL SERVICES BY COUNTY AND TYPE OF FACILITY

TABLE 24

County	Detention		JINS		Childrens Shelters	
	% of Children Involved	Hours Per Week	% of Children Involved	Hours Per Week	% of Children Involved	Hours Per Week
Atlantic	-	-	74%	15	-	-
Bergen	-	-	100%	25	10%	10
Burlington	-	-	100%	7	-	-
Camden	20%	5	75%	5	-	-
Cumberland	-	-	100%	10	-	-
Essex	-	-	100%	12	30%	15
Gloucester	-	-	-	-	-	-
Hudson	-	-	100%	30	-	-
Hunterdon	-	-	-	-	-	-
Mercer	20%	4	Boys 5% Girls -	Boys 2 Girls -	-	-
Middlesex	-	-	100%	25	-	-
Monmouth	-	-	Boys 50% Girls 100%	Boys 7 Girls 16	-	-
Morris	-	-	100%	10	-	-
Ocean	-	-	100%	8	-	-
Passaic	-	-	100%	20	100%	15
Salem	-	-	100%	15		
Somerset	-	-	100%	30	-	-
Sussex	100%	3	-	-	-	-
Union	-	-	100%	15	98%	6
Warren	-	-	-	-	-	-

All five Shelters reported the existence of some type of indoor recreational area, although some of these appeared to be very small. Bergen, Jersey City and Passaic Children Shelters reported that they had only one room set aside for recreation and these were of small dimensions. Essex and Union County Shelters had two or more rooms while Essex also had a small gymnasium. Two facilities reported a high degree of community involvement. Passaic and Union reported that nearly 100% of the children participated in activities in the local area. However, two facilities reported little or no participation in community activities. Bergen stated that only 10% of the children were engaged in community programs while Jersey City reported no involvement at all. In an interview with project staff, the Director of the Jersey City program stated that the children were not permitted free egress to the community and that in fact they rarely left the building. This policy raises questions which deserve serious examination.

The authors of this study can identify no legitimate reason why children in the Childrens Shelters should not be fully involved in some type of community recreational programs. Without such involvement, these facilities cannot be regarded as the "least restrictive alternative" for the children placed in their care.

Overview

Although the majority of all "temporary care" facilities provided outdoor play space and some type of indoor recreational areas, there were major distinctions among the three types of facilities in the degree of community involvement for children in their care. Only three Detention facilities permitted any residents to go outside of the facility for recreational activities, although the Standards governing these institutions encourage such involvement. Childrens Shelters, which house younger children who pose no threat to the safety of the community, also did not have a high proportion of residents engaged in recreational activities outside of the facility. Only two institutions permitted this type of participation to any major extent. One facility, the Jersey City Childrens Shelter, which had virtually no recreational space of its own, has an explicit policy prohibiting the use of community resources for any children in its care. The JINS Shelters were far more likely to have youngsters involved in community recreational programs than either of the other two types of facilities. Virtually all juveniles had an opportunity to engage in recreational programs within the community. Those programs which did not transport youngsters outside of the facility were community-based recreational programs themselves.

Serious attention should be paid to increasing the involvement of youngsters in Detention and Childrens Shelters in local recreational activities to decrease their isolation and provide a more normal environment. State and national standards and policy repeatedly emphasize the importance of maintaining contact between children and the community while they are placed out of their homes.[17] While some youngsters in detention may pose too great a risk to the security of the surrounding area, many others can benefit from the opportunity to engage in activities outside the walls of the institution.

Child Care and Social Services Staff in Detention and Shelter Care

The Governor's Adult and Juvenile Justice Advisory Committee points to the important role played by staff in the facilities in promoting a positive environment for the child:

> Whether detention or shelter experiences are ultimately positive or negative depends to a great extent upon the imagination, resourcefulness and professional soundness of detention and shelter staff.[18]

It is generally agreed that any benefits derived from stays in Detention or Shelter care facilities are largely dependent on the way youngsters are treated by the staff with whom they interact on a daily basis. In most facilities, because child care workers are in almost constant contact with the residents, they, in effect, become the first line of treatment. Social services staff are also important because they can provide guidance to the child care workers, assist the child in maintaining contact with family, link the child up with community resources and offer counseling services to those who require this kind of help. While an indepth examination of this topic is beyond the scope of this study, this section will provide information derived from the survey questionnaire on the 42 facilities which focuses on the child care and social services staff in an attempt to assess the overall level of "treatment" provided by the facilities.

Child Care Workers

In most facilities, the largest and most visible group of staff relating to the youngsters are the child care workers. Overall, approximately 55% of all full-time and part-time staff are child care workers.[19] (See Table 25 for breakdown.) In recognition of this critical role, national and state standards stress careful selection and training of child care personnel. The New Jersey Governor's Adult and Juvenile Justice Advisory Committee, for example, stated:

> Particular care should be taken in selecting of line personnel whose primary function is the delivery of programs and services. Personnel should be selected on the basis of their capacity to relate to youth... (and) in-service staff development and training programs should be provided on a periodic basis.[20]

Similarly, New Jersey Shelter and Detention Standards emphasize the careful selection and training of line staff, although New Jersey State Civil Service testing procedures often override the local facility's ability to choose among prospective candidates.

Even though the ACNJ questionnaire did not specifically focus upon staff selection and training, the section requesting information about administrative problems brought to light significant problems in this area. For example, an administrator in a Southern county noted that "many of the tests used by Civil Service are unrelated to the actual duties the employee will perform," and a Northern administrator noted that "too many of the children's supervisors lack experience and/or educational background when hired, and it is a long process to make them into adequate workers."

A number of facility directors commented on their problems with high staff turnover due to low wages. For example, a Detention facility Superintendent noted "in our encounters, staff gain experience at our facility, and resign to further their education or go on to better paying positions." Another administrator complained that there was a need for more staff training.

Serious problems can result if child care staff are inexperienced, poorly qualified for the job or do not receive adequate training. As an extreme example of the difficulties which can arise, the inspection report for one Detention facility showed a number of incidents of physical abuse apparently because the inexperienced and untrained staff did not know how to control the youngsters through less coercive methods. While the survey and background research did not turn up any evidence that this type of abuse was occurring in other facilities, the potential exists in facilities which do not have qualified, trained staff. The data points to the need to examine the whole area of selection and training of child care staff.

Social Services Staff

For most youngsters, placement in an institution, particularly a locked institution, provokes strong emotional reactions. In order to ease a child's adjustment to the new environment and provide needed help either through staff in the facility or by drawing on outside specialists, social work and counseling staff are needed.

The Standards governing Detention recommend at least one full-time social worker be present in each facility with an average daily population of 15 or more youths and requires that there be a minimum of one full-time worker for every 20 juveniles detained.[21] According to staffing information supplied by the facilities, two of the eleven Detention facilities with an average daily population of 15 or more were not in compliance with the standard. Atlantic Detention did not report the existence of any social worker while Hudson County had only one social worker for an average daily population of 38 juveniles.

In the JINS Shelters, the Standards require that at least one social worker be employed in each large group shelter with a capacity of 13-25 although none are mandated in the smaller facilities.[22] Five of the large JINS Shelters, Atlantic, Burlington, Camden, Ocean and Union, do not comply with the Standards because they do not have a full-time social worker. As a matter of fact, none reported any part-time social workers. The JINS Shelters in Camden, Ocean and Passaic Counties do report that they "share" staff with the Detention facilities in those counties although precise information on these arrangements was not requested. Three of the smaller programs, Middlesex, Morris and Somerset, also did not have social workers, while two, Mercer-Boys and Mercer-Girls, reported that they had part-time social workers on staff. Middlesex indicated that it shared staff with the Detention facility. The remaining four facilities, Cumberland, Monmouth Boys and Girls and Salem, all had full-time social workers in their programs. Despite the existence of Standards, the utilization of social work staff was far from uniform in the JINS Shelters. The range in the level of services was noticeable and is a matter which needs to be evaluated by the JINS Licensing Unit in DYFS.

As has been noted previously, no Standards have been developed for the Childrens Shelters. The survey data shows that Bergen, Essex and Passaic are the only Shelters which have any social workers and that two of these institutions have only one full-time worker each. Essex County Childrens Shelter has two workers. Dube Shelter in Union County and the Jersey City Childrens Shelter reported that they had no social workers at all. Given the large percentage of youngsters who are awaiting some form of out of home placement and the length of time some of these children remain in care, the lack of social services staff deserves attention.

Overview

Generally, Detention facilities were more likely to have social services staff than were JINS Shelters or Children Shelters. This is somewhat surprising given the differing purposes of detention and shelter care. Youngsters in shelter care are there primarily because they are in need of some type of help while this is not always the case with youths in detention. Given the fact that children in JINS and Childrens Shelters tend to stay for longer periods of time than those in detention, and are thus more likely to need counseling and other social services, this finding is somewhat disturbing. Efforts should be addressed to enforcing existing standards in the JINS facilities and developing standards in this area for the Childrens Shelters.

CHAPTER FIVE - FOOTNOTES

1. Sarri, R.C., Under Lock and Key, p. 1.

   NCCD, Standards and Guides for the Detention of Children and Youth, p. 3.

2. Rosenheim, M.K., "Detention Facilities and Temporary Shelters", p. 261.

   Wald, P.M."Pretrial Detention for Juveniles", p. 119.

3. New Jersey Governor's Adult and Juvenile Justice Advisory Committee, Standards and Goals for the New Jersey Criminal Justice System, p. 264.

   Rosenheim, M.K., "Detention Facilities and Temporary Shelters", pp. 259-261.

   U.S. National Advisory Committee on Criminal Justice Standards and Goals Juvenile Justice and Delinquency Prevention, p. 661.

4. Rosenheim, M.K., pp. 263-264.

   Wald, P.M., "Pretrial Detention for Juveniles", p. 129.

5. U.S. National Advisory Committee on Criminal Justice Standards and Goals, Juvenile Justice and Delinquency Prevention, p. 473.

6. New Jersey Governor's Adult and Juvenile Justice Advisory Committee, Standards and Goals for the New Jersey Criminal Justice System, p. 264.

7. Education Task Force, Association for Children of New Jersey, Explanatory Statement to Preliminary Draft Bill for Education of Children in County Facilities, unpublished ACNJ Document, Spring, 1979, p.1.

   The Education Task Force of ACNJ is a body made up of knowledgeable citizens and involved professionals who have voluntarily devoted their time and efforts to reviewing current policy and making recommendations on legislation relating to education in the state's juvenile institutions. The committee is chaired by Steven Eisdorfer of the Education Law Center.

8. New Jersey, Detention Standards, p. 28.

9. Ibid. p. 29.

10. New Jersey, Shelter Standards, p. 11.

11. New Jersey, Public School Education Act of 1975, P.L. 1975 C212.

12. New Jersey Governor's Adult and Juvenile Justice Advisory Committee, Standards and Goals for the New Jersey Criminal Justice System, p. 222.

13. Rosenheim, M.K., "Detention Facilities and Temporary Shelters", p. 261.

14. New Jersey, Detention Standards, p. 12.

15. Ibid., p. 29.

16. New Jersey, Shelter Standards, p. 11.

17. New Jersey, Detention Standards, p. 29.

    U.S. National Advisory Committee on Criminal Justice Standards and Goals, Juvenile Justice and Delinquency Prevention, p. 473.

18. New Jersey Governor's Adult and Juvenile Justice Advisory Committee, Standards and Goals for the New Jersey Criminal Justice System, p. 265.

19. According to the data supplied by the facilities, there were a total of 1403 full and part-time employees in the temporary care system. Of these 56.4 percent were child care workers. In all there were 823 full and part-time employees in Detention, 399 in JINS and 199 in the Childrens Shelters.

20. New Jersey Governor's Adult and Juvenile Justice Advisory Committee, Standards and Goals for the New Jersey Criminal Justice System, p. 221

21. New Jersey, Detention Standards, pp. 34-35.

22. New Jersey, Shelter Standards, p. 17.

CHAPTER SIX

THE COSTS OF TEMPORARY CARE

Total Expenditures

Operating New Jersey's temporary care system is an expensive undertaking. It cost almost $14 million in 1977 to run the programs in the 42 facilities which provided survey data, not including rent and capital improvements.[1]

A breakdown of the total operating cost figures shows that approximately $9 million was spent on detention programs while $3.25 million was expended on JINS Shelters and $1.75 million was spent on the Childrens Shelters. (See Table 26).

A further breakdown of the cost data shows that there were large differences in the amounts spent by the counties in their "temporary care " programs. (See Table 27). The largest program, Essex Detention, cost approximately $2.2 million while Hunterdon County, the smallest detention program, cost only $18,000. Similarly, there was a wide range in the cost of operating the JINS programs. Camden County spent approximately $400,000 while Somerset spent only $93,000. The range in the Childrens Shelters was from $903,000 in Essex to $216,000 in Bergen.[2]

County Cost Figures

The accompanying table (Table 27) presents the total program costs for each county facility as reported by the counties and verified by ACNJ. Although there may be minor differences between the figures reported here and the actual costs of the programs, the data presented is the most accurate available and relies heavily on the information supplied by the facilities themselves.[3] A search of the available national literature and studies conducted in other states failed to identify any other attempts to report program costs in this detail. Consequently, the ACNJ program cost information may be the most complete ever compiled on such a statewide system.

Variations in Cost

The variations in the total cost and daily costs in the facilities can be explained by a variety of factors. In general, a close association was found between the total cost of operating a program and the program's size, as measured by yearly admissions or total child care days,[4] although the relationship was not as strong for JINS facilities as it was for the other two types of facilities.[5]

In Table 28, per capita costs are compared for types of temporary care and for other types of care. This Table demonstrates that regardless of the type of facility, on a per capita basis, temporary care is considerably more expensive than long-term correctional and residential institutions. This

TABLE 26

TOTAL AND PER DIEM COSTS OF
TYPES OF TEMPORARY CARE PROGRAMS

	Total Reported Operating Costs	Total Annual Admissions	Total Annual Child Care Days	Per Capita Costs Per Day
DETENTION	$ 8,845.327	10,468	151,387	$58.43
JINS	3,282,972	4,453	71,476	45.93
CHILDRENS SHELTERS	1,691,806	1,242	30,222	43.61*
COMBINED TOTAL	$13,820,605	16,163	253,085	$53,13

* Because of insufficient data, Jersey City and Passaic Childrens Shelters were not included in the per capita, cost per day calculations.

TABLE 27

TOTAL AND PER DIEM COSTS OF TEMPORARY CARE PROGRAMS

COUNTY	DETENTION FACILITIES				JINS FACILITIES				CHILDRENS SHELTERS			
	Total Reported Operating Costs	Total Annual Admissions	Total Annual Child Care Days	Per Capita Costs Per Day	Total Reported Operating Costs	Total Annual Admissions	Total Annual Child Care Days	Per Capita Costs Per Day	Total Reported Operating Costs	Total Annual Admissions	Total Annual Child Care Days	Per Capita Costs Per Day
ATLANTIC	$ 282,916	340	6,976	$40.56	$ 114,363	273	4,003	$28.57	$ -	-	-	$ -
BERGEN	391,670	618	6,918	56.61	381,558	470	8,484	44.97	204,400	86	1,506	135.72
BURLINGTON	216,298	368	4,306	50.23	275,000	462	5,053	54.42	-	-	-	-
CAMDEN	600,000	731	9,076	66.11	400,000	378	4,816	83.06	-	-	-	-
CUMBERLAND	775,000	635	8,595	90.17	156,000	190	2,856	54.29	-	-	-	-
ESSEX	2,209,196	1,415	35,837	61.65	282,560	319	7,887	35.83	903,000	683	24,307	37.15
GLOUCESTER	248,510	311	2,876	86.41	-	-	-	-	-	-	-	-
HUDSON	840,000	1,146	15,165	55.39	209,500	473	7,144	29.33	200,000 **	117	**	***
HUNTERDON	18,000	44	248	72.58	-	-	-	-	-	-	-	-
MERCER	418,460	682	10,092	41.46	215,782	258	6,086	35.57	-	-	-	-
MIDDLESEX	464,293	635	9,719	47.77	160,030	200	2,753	58.12	-	-	-	-
MONMOUTH	392,000	635	5,810	67.47	315,412	329	4,547	37.19	-	-	-	-
MORRIS	208,000	420	5,060	41.11	157,060	105	2,850	55.37	-	-	-	-
OCEAN	300,000	553	3,991	93.50	132,000	315	2,887	45.72	-	-	-	-
PASSAIC	485,977	508	10,049	48.36	70,887*	96	3,111	22.79	173,928	210	**	***
SALEM	-	-	-	-	147,000	108	983	150.05	-	-	-	-
SOMERSET	102,000	132	346	294.80	93,997	127	2,990	31.43	-	-	-	-
SUSSEX	154,068	188	1,938	79.50	-	-	-	-	-	-	-	-
UNION	546,426	625	10,523	51.93	171,809	362	5,046	34.05	210,478	137	4,409	47.74
WARREN	192,000	223	3,862	49.72	-	-	-	-	-	-	-	-
TOTAL	$8,845,027	10,460	151,387	$58.43	$3,282,972	4,453	71,476	$45.93	$1,691,806	1,242	30,222	$43.61

* The Passaic JINS figure is estimated and probably significantly underestimates that program's total cost.

** The figure given here for the Jersey City's Children Shelter is estimated because the facility failed to provide sufficient information.

*** In computing per day costs, Jersey City and Passaic Childrens Shelters were not included because of insufficient data.

finding is particularly significant in light of the fact that Detention and Shelter care facilities are not designed to provide the same type of services and programs which are traditionally found in long-term programs. As a result, most of the temporary care facilities do not offer extensive services to the children they serve.

Table 28- Comparative Per Capita Costs for Types of Care

	per day[6]	per month	per year
Temporary Care			
Detention	$58.53	$1,780	$21,360
JINS	$45.93	$1,400	$16,764
Children's Shelters	$43.61[7]	$1,326	$15,900
Temporary Care Average	$53.13	$1,616	$19,392
Other Institutional Types			
DYFS Residential[8]	$40.00	$1,200	$14,600
Jamesburg Corrections[9]	$35.79	$1,088	$13,063
Skillman Corrections[9]	$40.53	$1,232	$14,800
Bordentown Corrections[9]	$23.75	$ 722	$ 8,668

Foster Care

Foster care is paid according to a child's age. Also, there is a yearly clothing allowance.

	Basic Monthly Rate	Annual Clothing Allowance
0-2	$110	$100
2-4	$116	$115
5-12	$125	$200
13+	$135	$250

While there are large differences among the per capita daily costs of various types of facilities, there were even larger differences among the facilities themselves. For example, as was reported in Table 27, Somerset, the most expensive detention program, cost almost $300 per day per child, while the least expensive program, in Atlantic County, cost only $40.50.

Much of the high per capita cost, at least in the smaller facilities, can be explained by the fact that in a large operation, each unit of production need only absorb a small proportion of ~~the fixed costs or overhead~~, thus keeping per unit costs low. However, in a small operation, many of the same overhead functions, such as bookkeeping, must still be carried out, but there are many fewer units over which to spread this cost. Consequently, the per unit cost is higher.

In Detention and Shelter facilities the same principle applies. In order to operate a facility at all there must be a minimum number of staff. For example, there must be at least one child care worker on duty at all time, as well as some provision for administration, health care, recreation, and other key functions. In other words, there are certain fixed costs which must be met no matter how many children are in the facility. If, then, a facility processes few children and keeps them for a short time, the number of child care days shown for the facility will be low. When this figure is divided into the facility's budget, the per day cost will be high, even though the total program budget in comparison to larger programs may be very low.

Variations in Cost and Level of Service

While the above discussion about irreducible basic costs explains the high per day figures of some of the smaller programs, ACNJ was also interested in determining whether higher costs could be related to higher levels of service.

In education evaluations an indicator of a high level of service is a low ratio between the number of faculty and students. Assuming that a similar low ratio in temporary care facilities would be an indication of individualized attention, and presumably beneficial for children placed in the environment, an analysis was conducted to see if a relationship existed between high per capita costs and low staff-to-client ratio. A strong relationship was found in the detention facilities, but unexpectedly, the relationship in JINS was found to be weak (r = .37). Further analysis showed that other variables, such as the number of full-time professionals in the JINS programs also appeared to be only slightly associated with various measures of program costs.

These unexpected findings caused ACNJ to reanalyze the JINS budget figures under the assumption that if the calculations and program figures made sense for detention, there must be something wrong with the JINS financial figures. A closer analysis of the JINS budgets determined that although the budgets were accurate, they were also misleading. For example, in Atlantic, Mercer, Ocean and Somerset Counties, education programs were provided by the County or local Boards of Education, and thus were not reflected in the program's budget.

Similarly, other counties included in their budgets items for drivers or cooks which usually appear in central rather than program budgets. After standardizing the budgets by adding in the estimated costs of the education programs, and deleting a few budgets that, in general, seemed questionalbe, correlations were run again with the various indicators of level of program service. The outcome was approximately the same as before. Very little relationship could be found between per capita cost and level of service.

Further analysis, however, revealed that the per day costs figures were highly sensitive to fluctuations in two other variables: the number of admissions to a facility and the average length of time youth remain in care. For example, if two facilities have the same overall operating budget and have the same average length of stay, yet one facility admits twice as many youths as the other, the per capita cost of the facility with the higher number of admissions will be half that of the other facility. Similarly, if two facilities have the same budget and admit the same number of youth, yet the average stay in one facility is twice that of the other, the total number of child care days (total admissions times their average length of stay) for the long stay facility will be twice that of the short stay facility. Dividing total child care days into the facility's budget, the procedure for determining per day cost, then will make the short stay facility twice as expensive on a daily per capita basis as the long stay facility.

Returning to the data in Table 27, the admissions figure for each facility was divided into the facility's total operating cost. The figure that resulted was the average cost per admission. The average length of stay for each facility was also computed. When the patterns of these statistics were compared among the types of facilities, it became evident why the various correlations performed on the Detention facilities made sense, and why those on the JINS facilities did not. In detention, there was much less variation in the relationship between admissions and the total budget, and much less variation in the average length of stay. Consequently, there was much more consistency in the average per capita daily costs and a much closer relationship between these and other indicators of levels of service. Because the Shelters had much wider variations in admissions and average length of stay, the per capita per day costs were not as closely related to other measures of levels of service.

In summation, the analysis demonstrates that the per capita per day costs of a facility are greatly influenced by rates of admissions and by a facility's average length of stay and may have relatively little relation to staff salaries or other indicators of levels of service. In fact, if a facility's budget is consistent with the size of a program, and with a county's total budget, high per capita daily cost figures may be a rough indication that the county's total temporary care program is working relatively well, if it shows that the facilities are being used sparingly and that children, for the most part, are not staying in them for inordinate lengths of time.

Funding Sources

Although funding patterns differ somewhat among the three types of facilities, in general, county governments bear most of the costs. A very high percentage of expenditures for Detention facilities came from county funds while JINS Shelters and Childrens Shelters receive somewhat higher levels of outside funding from the Division of Youth and Family Services (DYFS) and various other sources.

With the exception of Cumberland Detention, which reported receiving 85% of its funding from CETA,[11] most of the Detention programs received little external financial assistance. Seven counties had CETA staff and three counties received a small amount of help from the State Law Enforcement Planning Agency (SLEPA).

The JINS facilities were the most likely to receive a significant portion of their funding from sources outside of the county. In addition to receiving reimbursement from DYFS, which will be discussed later in this section, 11 JINS Shelters received funds from SLEPA,[12] seven received grants from CETA, three received Title XX funds and one received Title I assistance.

DYFS Reimbursement

DYFS reimburses JINS Shelters and Childrens Shelters for children under its supervision at a rate of $5.50 per day in most instances. This represents approximately 11% of the average daily cost of placement for youngsters in these programs.

Given the fact that a number of children in JINS facilities have some involvement with DYFS and that most children in the Childrens Shelters are referred directly by DYFS, the reimbursement rate does not appear adequate. Detention facilities have also complained about the lack of funding for youngsters remaining in care on a post-dispositional basis awaiting residential placement.

The DYFS reimbursement policy raises a related issue. If a youngster under DYFS supervision is placed in a long-term residential program, DYFS is responsible for paying the full cost of care except for educational expenses which are paid by the State Department of Education to the local school districts. In such residential facilities, the cost is $40 per day or more. Thus, there is no fiscal incentive for DYFS to move youngsters out of detention and shelter care into the long-term residences. In fact, the opposite is true. Given the length of time children stay in these facilities, particularly Childrens Shelters, an examination of this funding policy is needed.[13]

FOOTNOTES

1. The cost figures reported from the study represent the approximate total cost of operating these facilities. Rent and major capital improvements have been deleted in order to make meaningful comparisons among the counties. Many facilities use county-owned buildings for which they incur no out-of-pocket expense while others pay rent out of their budgets. Rather than attempt to estimate the value of the county property and other similar items, which is very difficult, it is more accurate simply to delete these expenditures in order to arrive at a comparable data base. For similar reasons, other resources, such as SLEPA grants and CETA-funded staff, have been included and are reflected in the total cost figures.

2. The financial data reported here was supplied by the facilities themselves in response to the ACNJ's statewide survey questionnaire. In many instances the facilities also submitted copies of their program's 1977 budget. During the analysis stage of this project, most of the facilities were contacted again to verify the expenditure figures and to clarify any major discrepancies between the budget figures and those reported on the questionnaire. Although the total expenditures for some of the facilities could not be precisely determined, short of a financial audit of each program, the information reported here, ACNJ believes, represents the most accurate information available and fairly reflects approximate program costs.

3. Some probable inaccuracies in the reported information are due to the differences in county financial systems. In county A, for example, food preparation may occur in a central kitchen and then be transported to the facility. In this case, food preparation may appear on a central budget, and not be accurately reflected in total facility operating costs. On the other hand, in County B food preparation may occur at the facility with the cook appearing as a regular line item in the facility budget. Similar differences may appear in other categories, but because of limited resources it was impossible to standardize every budget.

4. Total Child Care days represent the total number of admissions to the facility multiplied by the actual length of stay for each admission.

5. Correlation between total program cost and:

	Admissions	Child Care Days
Detention	r.87	r.98
Children's Shelters	r.98	r.99
JINS	r.65	r.61

6. Per day cost was determined by dividing the reported facility costs by the total number of child care days for the facility as reported by Joseph DeJames, Director of the Juvenile Detention and Monitoring Unit of the New Jersey Department of Corrections.

7. This figures does not include Jersey City Childrens Shelter or Passaic Childrens Shelter because data was not supplied by these facilities.

8. The DYFS Residential Cost Figure is a weighted average based upon the total number of youth in DYFS purchased Residential Care programs in a representative month (December, 1978). The figure includes both DYFS board payments and Special Education money, paid through the local school system. The figure excludes cost sharing money provided by or through the individual residential facilities (eg. endowment funding in-kind contributions, funding from SLEPA). As a result, the Residential Cost Figure only represents the cost of a residential placement to the State of New Jersey, not the total cost of that placement. (Data supplied by Mike Tomaszewicz, Bureau of Research, Division of Youth and Family Services, Personal Communication).

9. Source - State of New Jersey Budget for Fiscal Year 1978-1979, Office of the Governor, State House, Trenton, New Jersey. Data is for FY 1977. A review of the budget document did not indicate how the Treasury Department determined average per day costs, but a review of the data presented indicates that it must have been computed in a manner similar to that used here by ACNJ.

10. Telephone conversations with administrators at some of the more expensive facilities indicated that this analysis was consistent with their understanding of their program's costs, although the administrators were not aware of how their programs compared with other facilities.

11. It should be noted that this budget information was for 1977. Since then there have been substantial cuts in the CETA program. Conversations with program administrators reveal that in response to the cuts two things have occurred in later budgets. Some of the functions supported by CETA have had to be terminated, while others deemed critical have been included in regular county appropriations.

12. Law Enforcement monies to the JINS program began in 1974 with a $600,000 LEAA grant to the state to assist in establishing the JINS programs in the counties.

13. Informal conversations with staff at the Department of Human Services indicate that a review of this policy is currently underway.

CHAPTER SEVEN

SUMMARY, ANALYSIS OF FINDINGS AND RECOMMENDATIONS

Many issues and questions have emerged from the findings of this report, which has attempted to provide a general description of youths in detention and shelter care and certain policies and practices of these facilities. In some cases, conclusions can be drawn based on the existing data and supplemental information from interviews and the literature. In other cases, further examination is necessary. Hopefully, the followup report for this study, which will describe and analyze the findings on over 500 randomly-chosen youngsters, will also offer more insight into the findings regarding the children in care. However, the issue of assessing the system of detention and shelter care is a highly complex task. While this study can fill some major gaps in information, further efforts will be required on the part of this organization and those agencies involved in the system to identify the problems and begin working toward constructive change.

This chapter will summarize the data and analyze it in light of state and national standards and studies, interviews with the facilities and a number of other "actors" in the system.

Following a summary and analysis of the overall findings, the chapter will focus on data related to the three types of facilities and conclude with a series of recommendations for change.

An Overview of the Findings

Lack of Information

This report has documented the paucity of information about the facilities and the children they are designed to serve and pointed out the value of this information in efforts to assess the operations of the system and plan effectively.

The information which is routinely collected on children in detention and shelter care is not uniform and is not compiled on a statewide basis in a useable form. Each facility develops its own forms and keeps records on the information it considers useful. This data is not compiled by an statewide agency on a consistent basis. As a result, it is impossible to find answers to such basic questions as the number of children admitted and readmitted to the facilities, their age, sex, race and county of residence, the length of time they stay, their complaint status, the number, size and location of facilities which exist and the types of services they provide. While some of this information is available on JINS and Detention facilities through the JINS Licensing Unit in DYFS and the Detention Monitoring Unit in the Corrections Department, virtually no information is available on the Childrens Shelters.

The directors of the facilities, themselves, have expressed frustration because they do not know what types of information should be collected routinely yet are receiving more requests for data. It is interesting to note that many of the facilities are using the state survey questionnaire as their data source and guide to recordkeeping. In reality, research projects such as this would not be necessary at all if accurate data were available for monitoring and planning purposes on an ongoing basis.

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Utilization of Detention and Shelter Care

The data raises serious questions about the utilization of detention and shelter care. Thousands of youngsters are processed through the system annually and more than half are readmissions. While the majority stay 30 days or less, nearly one-third of the overall population had been in care over 30 days and 60% of the children in Childrens Shelters had remained more than 30 days. Despite the fact that Detention and JINS facilities are legally authorized to provide care mainly to youth prior to disposition, between 20% and 25% were in these facilities on a postdispositional basis. In some cases, youths in locked Detention facilities were awaiting placement in nonsecure residential facilities. Although most juveniles were placed in detention in accordance with the law, approximately 13% of the reasons given were not sufficient in themselves to justify placement under the Juvenile Code. Half of the youngsters placed in JINS facilities were there because there was "no appropriate adult custodian" and an additional 13% of the reasons given clearly indicated other types of family problems. The ease with which parents can file petitions against their own children, which are highly likely to result in placement,casts doubt on the validity of this entire process. It appears likely that juveniles are being labeled and thus stigmatized for problems which originate in the home. While these children obviously need help, one must question why this assistance could not be provided through other mechanisms which place more responsibility on the entire family.

Age of Children

The relatively young age of some children in detention and shelter care indicates that at least in certain instances these facilities do not represent "the least restrictive alternative." The use of detention for youngsters aged six to twelve is particularly troubling. The exposure of these vulnerable children to seriously delinquent adolescents can only result in severe longterm damage. The survey findings also show that a large percentage of children in the five Childrens Shelters are under twelve and that many are of preschool age. The utiltization of this type of institutional care for these young children is totally out of step with current national trends which emphasize the necessity of deinstitutionalization.

Proportion of Minority Group Youth

The high proportion of minority group youth in Detention and Childrens Shelters is troubling. While this phenomena cannot be attributed to any conscious policy of racial discrimination based on the survey data nevertheless, further study and examination are in order. Particular attention should be addressed to the use of detention for minority groups youths. A comparative analysis of court records for youths placed in detention might pinpoint some of the reasons such a large percentage of minority youths are incarcerated in locked detention.

Placement of Girls

Viewed in the light of national studies and data on court dispositions in New Jersey, the high percentage of girls placed in JINS Shelters indicates that they may be subject to more severe sanctions for "status offenses" than boys commiting similar acts. While the survey data is far from clearcut, certainly the issue deserves further exploration.

County of Residence

While most youngsters in care in Detention and Shelter facilities were from the county in which the facility was located or nearby counties which had formal agreements, a surprisingly large proportion of youngsters in facilities in several counties were from out of state or Canada. More information is needed in the such areas as reasons these children are admitted and the length of time they remain in care in order to determine whether adequate efforts are being made to return these youths to program and facilities which are nearer to their homes. On the face of it, this practice would appear to violate the provisions of the JJDP Act.

Variations in Rate of Utilization

The marked variation in the rate of utilization of Detention and JINS Shelters among the various counties clearly points to a lack of uniform clearcut criteria governing admissions to these programs. Although the survey data has limitations, rates of placement appeared to be more closely related to such factors as the availability of adequate bed space than to the behavior of the youngsters. Any serious effort to reduce the inappropriate use of detention and shelter care must begin by a detailed study of the variations among the counties in relation to the official and unofficial reasons the youths come into care, taking into account such variables as the availability of adequate facilities, local practices and the adequacy of community resources.

Services Available

Educational, recreational and counseling services in Detention and Shelter facilities ranged widely. One facility, the Jersey City Childrens Shelter, provided virtually no services at all, others offered limited services and still others appeared to be making a serious effort to meet the needs of the children on an interim basis.

Educational Programs

Despite the fact that many youngsters in the facilities have serious educational deficiencies and a history of failure in public schools, some programs provided an hour or less of instruction per day while others had voluntary attendance policies. Although state and national law and standards clearly encourage the use of community educational programs for appropriate youths in detention and shelter care only a few youths in Detention and a relatively small number of children in the Childrens Shelters were given this opportunity.

Staffing

Child care staff, which represented a high proportion of total staff had primary responsibility for dealing with the problems of youngsters in these facilities. Unfortunately, there are indications that at least some of these workers do not have the requisite qualifications, experience and training to handle this difficult and delicate job adequately. Although Detention facilities generally had adequate number of social workers, many JINS Shelters and some Childrens Shelters did not.

Funding Policies

Operating the Detention and Shelter care facilities is an expensive undertaking despite the fact that the services offered are not as extensive by and large as those in longterm facilities, which are on the average somewhat less expensive. The costs of these programs are borne by the counties for the most part. Although virtually all children in the Childrens Shelters were referred directly by DYFS and many of the JINS youngsters had some DYFS involvement, DYFS paid only a small portion of the costs for these children. The DYFS reimbursement rate of $5.50 per day represented only 11% of the average daily cost of care for these youngsters. In contrast, DYFS was paying all costs except those for education in the longterm residential facilities under its supervision, which average $40 per day and may cost substantially more. Because of the differential, DYFS has no fiscal incentive to move the youngsters out of temporary care into longterm residential facilities. A full examination of the impact of this funding policy is essential.

Lack of Accountability

Overall, the system lacks accountability because the counties have primary responsibility for operating and financing these programs and state agencies have only limited authority and enforcement powers. The Childrens Shelters are a special case. Although the JINS Licensing Unit in DYFS has assumed responsibility in recent months for inspecting the Childrens Shelters, their authority is apparently not clearly delineated. Moreover, the lack of standards governing these facilities makes it very difficult for this unit to take effective action. As a result, although these facilities primarily serve DYFS children, they operate in a highly idiosyncratic and autonomous fashion. Serious attention should be given to increasing the role of state agencies in supervising and monitoring these programs and providing a more realistic share of the cost.

Summary and Analysis of Findings Related to Detention Facilities

Thousands of youngsters are detained annually as they are processed through New Jersey's Juvenile Court system. Despite the availability of a shelter care network, and contrary to the recommendations of numerous national studies and standards, detention continues to be that dominant form of "temporary care" in New Jersey. It seems doubtful that confinement of so many youths is necessary for the protection of the public, and represents "the least restrictive alternative". The following section highlights some of the major findings of this study as they pertain to Detention.

Summary of Findings

This report points to the excessive use of detention for youngsters processed in New Jersey's juvenile courts. In 1977, there were 10,468 admissions to locked Detention facilities, which was more than twice the number of admissions to JINS facilities (4,453). The percentage of youths detained among the counties differed greatly and could not be explained by such factors as the youths' behavior. A serious examination should be made to determine whether or not youngsters in some counties are being detained who could safely remain in the community. Out of concern for this issue, the Governor's Adult and Juvenile Justice Advisory Committee has recommended the development of more precise criteria governing the use of detention. National standard-setting organizations have also made similar recommendations and developed guidelines for limiting the inappropriate use of detention.

Children Under Twelve

The use of secure Detention facilities for children under the age of twelve must be questioned. In 1977, 496 children aged twelve or less were admitted to locked Detention. Three of the counties admitted at least one child between the ages of six and eight. Children of this age cannot be held responsible for their actions in the same way as older youngster and should not be required to bear the full consequences of their actions. Furthermore, these youngsters cannot adequately protect themselves against older youths who have been engaged in serious delinquent acts. Because of these reasons, national studies and standards have recommended limiting juvenile court jurisdiction to children ten or over and recommended the placement of most youngster twelve and under in foster homes, rather than Detention.

Postdispositional Stays

This report also documents the inappropriate use of Detention facilities as holding facilities for juveniles. The data on a postdispositional basis indicates that a significant portion of the population in Detention facilities remain in these facilities following disposition. Ten percent of juveniles in locked Detention were awaiting placement in residential facilities which are generally non-secure, and an additional five percent were awaiting diagnostic evaluation. This practice is not in accord with the objectives of temporary care in New Jersey or with national standards. The decision to physically restrict any youth in a Detention facility is very serious since incarceration can have a very harsh effect on a youngster. Detention should not be misused as a holding facility for youngsters who pose no harm to the community and may require help.

Location of Facilities

Despite the recent federal mandate for complete separation of adult and juvenile offenders, two Detention facilities were identified which were in or near county jails. Hunterdon County Detention is located in the county jail and is staffed on a part-time basis by jail personnel. Because of its location, the facility is not able to provide adequate space or programming for the youngsters. However, the facility does have a policy of only detaining youths for short periods of time and detains a relatively small proportion of youths under 18 according to survey data. The situation in Somerset County is somewhat different. The Detention facility in that county is adjacent to the county jail but is completely separate from the adult facility. The physical conditions in this facility appear to be relatively adequate although services are minimal. This facility also limits the stays of its residents and transfers them to Middlesex County Detention. Although state law and standards do not prohibit the existence of such facilities, it is highly questionable whether they can provide a suitable environment and adequate services within their present location. The stigma which attaches to the youngsters must also be given consideration. It is important to point out that Detention Standards prohibit building any new Detention facility which is in any way physically connected to an adult lockup.

Community Involvement

Chapter Five points to the fact that very few youths placed in locked Detention facilities have the chance to engage in community educational or recreational programs although the Detention Standards encourage such involvement. Although certain youngsters may pose too great a risk to the safety of the community, others, who in all likelihood will return home in a short period of time, should not be totally isolated from the rest of the world. After all, these youths have not been convicted of committing any offenses but are in the facility while they await the decision of the court. The fact that some Detention facilities have been able to provide community educational and recreational opportunities for the youths in their care without any serious problems points to the need to re-examine traditional views of detention.

Summary and Analysis of Findings Related to JINS Facilities

New Jersey is in a relatively unique position in this country because it is one of the few states that has established a network of shelter care facilities designed to house "status offenders." New Jersey offers an alternative to secure detention for these juveniles which has been regarded as a model for the rest of the country. However, while the facilities meet a definite need, the issue needs to be addressed whether there are other approaches which would be at least as effective and would avoid labeling the youngsters for many problems which originate in the family situation. This raises the larger issue of whether children who have committed acts which are not illegal for adults and may be a cry for help should be under the jurisdiction of the court in the first place. While a discussion of this complex and controversial topic is beyond the scope of this study, the issues cannot be ignored in any effort to assess the use of JINS Shelters in New Jersey. Several key issues related to the utilization of JINS Shelters emerge in an analysis of the survey findings.

Length of Stay

It is ironic that the youngster who is in most jeopardy of remaining in care for long periods of time is the child who is not protected by the legal safeguards inherent in the processing of a delinquency complaint but is one who has family problems and no one in the home who is able or willing to assume care. Thus, JINS youngsters as well as children in the Childrens Shelters tend to remain for longer periods of time in care than youths placed in detention. Comments by facility staff on the questionnaires indicated that they had serious concerns about the excessive amount of time some children remained in the JINS facilities. They indicated that the frustrations of both the staff and the residents often escalate to a conflict point which produces unnecessary behavioral problems, such as running away.

Least Restrictive Alternative

Although JINS Shelters are often perceived as a form of deinstitutionalization because they are less restrictive than Detention facilities and are less insulated from the community, it is questionable whether in fact they represent the "least restrictive alternative". Many youngsters could remain in the home or stay with relatives if other types of support services were in place in their community.

Others could be placed in foster or group homes if these types of resources were in existence. Bergen County, for example, uses a network of volunteer host homes for youngsters who would otherwise be placed in some type of institutional care. Both the parents and the child must agree to engage in a specified amount of counseling in order for the youngster to enter the program. Innovative approaches such as this could reduce the number of youth who end up in JINS Shelters.

Services in JINS

Although JINS facilities are supposed to be more "treatment oriented" than detention, in reality Detention facilities were more likely to have social workers on staff. While this is not a conclusive measure, by any means, it raises issues which deserves further examination. However, it should be noted in this context that youngsters in JINS facilities did have considerably more interaction with the community in terms of their schooling and recreational activities.

Summary and Analysis of Findings Regarding Childrens Shelters

The Childrens Shelters are rather mysterious organizations. Very little is known about these facilities although they are used regularly for a number of children. One of the reasons for the lack of knowledge is that they do not operate within the jurisdiction of the court and are not clearly under the authority of any state agency. As a result, they tend to operate in a highly autonomous fashion. This report attempts to dispel some of the mystery about these programs and raise some issue regarding the policies and use of these facilities.

As this report has pointed out in a number of places, the Childrens Shelters do not operate according to any set of standards. However, it is the understanding of project staff that efforts are underway in DYFS to develop such standards. If true, this would be a positive step. At present, it is difficult to set any requirements governing the operation of these facilities or conduct meaningful evaluations due to the absence of clear guidelines.

Although DYFS is the referral source for more than 90% of the children in these institutions, no regular inspections of these facilities were made for more than three years. Prior to publication of this report, project staff were advised that all six Childrens Shelters were inspected by the JINS Licensing Unit. Unfortunately, project staff were not able to review these inspection reports to determine their scope and utility.

The lack of standards governing Childrens Shelters and the failure to vest clearcut authority for monitoring and inspection in any state agency has serious implications. As the report has repeatedly mentioned, there is one facility, the Jersey City Childrens Shelter, which does not appear to be providing adequate services to the youngsters in its care and actually prohibits the use of community programs. This facility initially refused to cooperate with project staff and only reluctantly permitted a tour of the premises when no children were present. At that time, the physical conditions and staffing of the facility were clearly inadequate. Until standards are developed and authority for enforcement is clearly defined, it is possible for situations such as this to develop and persist in the Childrens Shelters.

The length of stay for children in the Shelters and the rate of admissions are related issues which deserves attention. More than 60% of the children placed in these facilities stayed over 30 days and a very high proportion experienced readmissions. Given the relatively young age of the population in contrast to that in Detention and JINS Shelters, this finding is somewhat disturbing. The fact that the majority are referred by DYFS and are awaiting placement, gives some clues why these children experience such long stays in these institutions.

Serious efforts must be addressed to finding alternative approaches to dealing with these youngsters who would appear to be more appropriately placed in a less restrictive setting such as foster and group homes if they could not remain with parents or relatives. It is highly questionable that many of these children benefit from institutional care, particularly the population of infants and preschool children.

Recommendations

1. A Statewide management information system should be developed on children in all types of out of home placement which incorporates data about the characteristics of youngsters in Detention and Shelter care and their "careers" in placement. Such an undertaking would require a cooperative effort among the courts, the Department of Human Services and the Department of Corrections.

2. All facilities should be fully monitored and evaluated on a regular basis. Such evaluations should include an assessment of the practices and policies of the facilities in addition to the inspection of the physical plant and an examination of the programmatic aspects..

3. A full set of Standards should be developed as soon as possible for the Childrens Shelters which recognizes their unique role and population.

4. Clearcut authority should be vested in DYFS for monitoring and evaluating the Childrens Shelters on a regular basis.

5. Efforts should be made to limit the use of locked detention through the development of more precise criteria using the national standards as models. Youths would thus be detained only if there was a "substantial probability" that they would pose serious harm to persons in the community or not appear in court.

6. Statutory age minimums should be established for Detention which would not permit youngsters under the age of ten to be placed in these facilities except under extraordinary circumstances.

7. Steps should be taken to remove all juveniles from Detention who are in care on a postdispositional basis who are due to be released to nonsecure settings.

8. The appropriateness of allowing the Hunterdon Detention facility to exist within a jail should be immediately examined by the Department of Corrections. The policy permitting existing Detention facilities to be in close proximity to jails requires attention as well to ensure that youngsters receive adequate services.

9. The current system of financing the Detention and Shelter care facilities should be critically evaluated with particular emphasis on DYFS funding policies. The counties do not have the resources to bear such a high proportion of the costs of care, particularly for youngsters remaining in facilities on a postdispositional basis.

10. Serious efforts should be devoted to developing policies which will reduce the length of time children remain in detention and shelter care. To the greatest extent possible children should not be permitted to remain in these facilities beyond 30 days.

11. A broad range of services and facilities should be developed which are geared to the needs of children currently placed in temporary care based on the concept of the least restrictive alternative. More supportive services are necessary to keep children with their families and assist in returning the children home. The pool of foster homes and community-based group homes should be greatly expanded for children who cannot stay with parents or relatives in order that youngsters are not placed in institutional care by default.

12. An indepth analysis of the whole system of JINS Shelters should be made to determine whether or not many of these youths could benefit from other types of services and programs which do not entail court involvement. The Runaway Youth Shelters such as the one established in Atlantic County through the efforts of DYFS might serve as a model for similar programs throughout the state. Programs such as the volunteer host home program in Bergen County also appears to offer possibilities for diverting these youngsters from the court system.

13. The high rate of readmissions bears further study and analysis to determine why youngsters return to the facilities one or more times. Certainly more efforts need to be directed toward preventing this type of "recidivism" through the provision of appropriate services. The Cape May program appears to offer a useful model. This project utilizes volunteers who work closely with youths who are at risk of returning to the JINS facility.

14. Educational programs in Detention and Shelter care facilities should be upgraded and expanded. A special Task Force on Education established by ACNJ has developed a legislative proposal which mandates the establishment of educational programs in all "temporary care"facilities and provides state funding to enable counties to offer adequate programs. Special emphasis is placed on utilizing local schools where this is appropriate. Enactment of this legislation could be a major step toward improving the level of educational services which vary considerably among the facilities.

15. Youngsters in these facilities, particularly youths in Detention and residents of the Childrens Shelters, should have more opportunities to engage in community educational and recreational activities. Special attention should be paid to the level of community involvement in evaluations of these programs.

16. Selection and training of child care workers should be given a high priority in efforts to upgrade the system. Training should be offered on a systematic basis to child care workers in all programs which would provide them with a fuller understanding of the problems confronting these youngsters and effective methods for dealing with these youths.

17. All facilities should be required to have at least one part-time social worker to consult with child care staff and offer counseling and other help to the youngsters. This is not presently the case in a number of JINS Shelters and some Detention facilities and Childrens Shelters.

18. Crisis intervention counseling should be available to all youths in these facilities at the critical point of entry to assist them in dealing with the shock of separation from their families and community and ease their transition into the programs.

19. Further study and examination are needed to pinpoint the reasons why minority group youths constitute such a large proportion of the population of Detention and Childrens Shelters.

20. The high percentage of girls in JINS Shelters viewed in the context of other data is an issue which deserves further exploration to determine if differential handling is occurring.

21. More information is needed on youngsters placed in detention and shelter care who reside out of the state or in distant counties to determine whether adequate efforts are being made to return these youngsters to programs nearer their homes.

22. A detailed study is needed on the variations in the use of Detention and JINS Shelters among the counties to assess whether these facilities are being utilized appropriately and determine whether counties have adequate alternative resources.

EXHIBIT I

MAY 2 1977

ADMINISTRATIVE OFFICE OF THE COURTS
STATE OF NEW JERSEY

ARTHUR J. SIMPSON, JR
JUDGE SUPERIOR COURT
APPELLATE DIVISION
ACTING ADMINISTRATIVE DIRECTOR OF THE COURTS

STATE HOUSE ANNEX
TRENTON
NEW JERSEY
08625
609-292-4636

May 2, 1977

Mr. James B. Boskey, President
Citizens Committee for Children of New Jersey
251 Park Street
Montclair, New Jersey 07043

Dear Mr. Boskey:

This is in response to your letters of January 31, 1977 and April 15, 1977 to the Chief Justice concerning the application of the Citizens Committee for Children of New Jersey to conduct a statewide study of shelter and detention facilities and, specifically, for an access to certain records in Bergen, Burlington, Essex, Hudson, Monmouth and Union Counties.

We are aware of the fact that your grant application has been funded by the State Law Enforcement Planning Agency (SLEPA) subject to the approval of the Supreme Court and of the importance of this subject and its relation to other subjects, including the JINS Task Force and development of review procedures for voluntary placement of children.

Accordingly, the Chief Justice has reviewed this matter and has approved this proposal, subject to the condition that there be no interference with the proper and efficient operation of the courts and that the presiding judges of the juvenile courts in the above-mentioned counties report to me that resources are available to permit the project to be completed without interfering with court operations.

I suggest that your representatives plan a visit to each of the courts to be involved in the study and explain the nature and importance of the study. I am sure that, as a result thereof, the juvenile court presiding judges will endeavor to oblige you in the conduct of a successful study. Please do not hesitate to contact Edwin H. Stern, Esq., Director of Criminal Practice, for any help needed in implementing your vicinage visits and other activities in connection with the project.

Sincerely,

AJS,Jr/k

CC: Honorable Theodore W. Trautwein
Honorable Samuel D. Lenox, Jr.
Honorable Arthur J. Blake
Honorable Thomas S. O'Brien
Honorable Merritt Lane, Jr.
Honorable V. William DiBuono
Mr. John J. Mullaney

EXHIBIT II

CITIZENS COMMITTEE FOR CHILDREN OF NEW JERSEY
251 Park Street, Montclair, New Jersey 07043
(201) 783-7870

DETENTION/SHELTER STUDY

INSTRUCTIONS: Please read over all questions before answering. Most of the questions may be answered by a single response on the appropriate line. However, you may write in additional comments whenever you wish to do so. Ignore the numbers beside the questions and answers; they are for machine tabulation only.

Please be sure to answer every question, since it is very important to have complete data for analysis. Citizens Committee recognizes that supplying information for this questionnaire will take time away from your busy work schedules. However, the data gathered for this survey will be useful to all of those interested in the welfare of youngsters placed in temporary care facilities. Thank you very much for your cooperation.

* * * * * * * * * * * * * *

A. GENERAL INFORMATION

1. NAME OF FACILITY (1-7): ______________________________

   County: ______________________________

   Name of Superintendent: ______________________________

   Year Facility Opened: ______________________________

2. EXPENDITURES (8-13)....Please give the amount of total expenditures for calendar year 1977. . . . . $__________

3. SOURCES OF FUNDING (14-28)....Please show the percentage of your total 1977 budget received from each of the following funding sources. (Note that sum of percentages should equal 100.)

   County: _____%
   DYFS: _____%
   SLEPA: _____%
   CETA: _____%
   TITLE I: _____%
   TITLE XX: _____%
   Other (specify): _____%
   ____
   ____
   ____

4. SOURCES OF REFERRALS TO YOUR FACILITY (29-52)....Please show the percentage of your referrals received from each of the following sources. (Note that sum of percentages should equal 100.)

   Juvenile Court Judge: _____%
   Court Intake Service: _____%
   Police Department: _____%
   DYFS: _____%
   JINS Shelter: _____%
   Detention Facility: _____%
   Request of Family: _____%
   County Welfare: _____%
   Probation Department: _____%
   Other (specify): _____%
   ____
   ____
   ____

5. MAXIMUM CAPACITY OF RESIDENCE (53-58): . . . . Males:____ Females:____

6. AGE OF CHILDREN ACCEPTED (59-62): . . . . Minimum Age:____ Maximum Age:____

7. INTAKE LIMITATIONS (63-64)....Please list any limitations on the type of youngsters accepted by your facility. For example, if your facility does not accept pregnant females or children with medical problems or any other group of youngsters, please describe below:

____

____

____

8. AVERAGE DAILY POPULATION (65-67)....Please give the average daily population in your facility during the last calendar year (1977). . . . . ____

9. AVERAGE LENGTH OF STAY (68-70)....Please specify the average length of stay in days for admissions to your facility during the last calendar year (1977). . . . ____

10. DISCHARGES (71-74)....Please give the number of children discharged from your facility during the period from January 1, 1977 to December 31, 1977. . . . . . ____

11. RUNAWAYS (75-76)....Please describe your agency procedures for dealing with youngsters who run away from the facility.

____

____

____

* * * * * * * * * * * * *

B. SERVICES OFFERED....The following set of questions pertain to services offered at your facility.

1. Are arrangements made for your children to attend community schools? (77) . . . . Yes:____ No:____

IF YES, approximately what percentage of your children attend schools in the community? (6-8) . . . . ____%

2. Do you have an in-house educational program at your facility? (9) Yes:____ No:____

IF YES,
Approximately what percentage of your children attend the in-house educational program? (10-12) . . . . ____%

On the average, how many hours per day does a child attend the in-house educational program? (13-14) . . . . ____hours

Is attendance at the in-house educational program mandatory or voluntary? (15) . . . . ________

What is the approximate teacher/student ratio at your facility? (16-18) . . . . ____teachers to ____students

3. Are there in-door recreational areas at your facility? (19) . . . Yes:____ No:____

IF YES, please describe approximate room sizes and equipment available (20-21):

____

____

____

____

4. Are there outdoor recreational areas at your facility? (22) . . . Yes:____ No:____

IF YES, please describe approximate size of areas and equipment available (23-24):

____

____

____

____

5. Are the children in your facility involved in recreational activities in the community? (25) . . . . Yes:____ No:____

IF YES,
Approximately what percentage of your children are involved in community-based recreational activities? (26-28) . . . . ____%

Approximately how many hours per week are your children involved in community-based recreational activities? (29-30) ____hours

6. Does your facility provide diagnostic evaluations for any children in residence? (31) . . . . Yes:____ No:____

IF YES,
Approximately what percentage of your children receive such evaluations? (32-34) . . . . ____%

What individual (please list position only) or organization performs the diagnostic evaluations? (35-36) ________________

____

* * * * * * * * * * * * * *

C. ADMISSIONS....The following set of questions pertain to total admissions to the facility for the calendar year January 1, 1977 to December 31, 1977.

1. TOTAL NUMBER OF ADMISSIONS (37-40): . . . . ____

2. ADMISSIONS AND RE-ADMISSIONS (41-48)....Of the total number of admissions during 1977, how many were: . . . . New Admissions:____
Re-Admissions:____

3. SEX (49-56)....Of the total number of admissions during 1977, how many were: . . . . Males:____ Females:____

4. RACE (57-73)....Of the total number of admissions during 1977, how many were: . . . . White:____ Hispanic:____
Black:____ Oriental:____
Other:____

5. AGE (74-76, 6-46)....Of the total number of admissions during 1977, how many were the following ages at the time of admission to your facility?

0-2 years:_____
3-5 years:_____
6-8 years:_____
9 years:_____
10 years:_____
11 years:_____
12 years:_____
13 years:_____
14 years:_____
15 years:_____
16 years:_____
17 years:_____
Other (specify):_____
____
____

6. RESIDENCE (i.e. last known home address)....Of the total number of admissions as specified above, how many were from:

Number

(a) YOUR COUNTY (47-50) . . . . _____

Of this total number of admissions from your county, please specify how many admissions were from each of the following municipalities:

Number

(b) OTHER NEW JERSEY COUNTIES (51-53) . . . . _____

Of this total number of admissions from other New Jersey counties, please specify the county and total number of admissions from each county:

County	# of Admissions

Number

(c) OTHER STATES (54-56) . . . . ____

Of this total number of admissions from other states, please specify the state and the total number of admissions from each state:

State	# of Admissions	State	# of Admissions

* * * * * * * * * * * * *

D. DAILY POPULATION....The following set of questions pertain to the children in residence at your facility on one particular day, Thursday, February 16, 1978.

1. TOTAL NUMBER OF CHILDREN IN RESIDENCE (57-59): . . . . ____

2. ADMISSIONS AND RE-ADMISSIONS (60-65)....Of the children in residence on February 16, 1978, how many are: . . . . New Admissions:____
Re-Admissions:____

3. SEX (66-71)....Of the children in residence on February 16, 1978, how many are: . . . . Males:____ Females:____

4. RACE (72-77, 6-11)....Of the children in residence on February 16, 1978, how many are: . . . .
White:____
Black:____
Hispanic:____
Oriental:____
Other:____

5. AGE (12-37)....Of the children in residence on February 16, 1978, how many (at the time of admission) were:
0-2 years:____
3-5 years:____
6-8 years:____
9 years:____
10 years:____
11 years:____
12 years:____
13 years:____
14 years:____
15 years:____
16 years:____
17 years:____
Other (specify):____
____

6. SOURCES OF REFERRAL (38-61)....Of the children in residence on February 16, 1978, how many were referred by:
Juvenile Court Judge:____
Court Intake Service:____
Police Department:____
DYFS:____
JINS Shelter:____
Detention Facility:____
Request of Family:____
County Welfare:____
Probation Department:____
Other (specify):____
____
____

7. DYFS STATUS (62)....Of the children in residence on February 16, 1978, how many are: . . . . Known to DYFS:____
Not Known to DYFS:____
Don't Know:____

8. LENGTH OF STAY (63-77)....Of the children in residence on February 16, 1978, how many have been in your facility for:

One day or less:_____
2 days:_____
3-14 days:_____
15-30 days:_____
More than 30 days:_____

Of these children in residence more than 30 days, please give the following information for each child (6-75,6-35):

	Length of Stay in Days	Sex	Race		Length of Stay in Days	Sex	Race
Child 1				Child 11			
Child 2				Child 12			
Child 3				Child 13			
Child 4				Child 14			
Child 5				Child 15			
Child 6				Child 16			
Child 7				Child 17			
Child 8				Child 18			
Child 9				Child 19			
Child 10				Child 20			

9. CURRENT COURT STATUS (36-74)....Of the children in residence on February 16, 1978, please show the current court processing status for each child.

Number

(a) Complaint Signed:
(1) No Court Date Set:........................_____
(2) Court Date Set:............................_____
(3) Awaiting Final Court Decision:.........._____
(4) Awaiting Opening in Resid. Placement:.._____
(5) Awaiting Transfer to Correct. Facility:_____
(6) Awaiting Transfer to a State Inst.:...._____
(7) Awaiting a Diagnostic Evaluation:......_____

Number

(b) No Complaint Signed Yet:..._____
(c) Courtesy Hold For Transfer to Another Jurisdiction:_____
(d) Protective Care Status:....._____
(e) No Court Involvement:......._____
(f) Don't Know:................._____
(g) Other (specify):............_____

____
____
____
____

10. TYPE OF COMPLAINT (75-77, 6-47)....Of the children in residence on February 16, 1978, please give a breakdown by type of complaint, sex and race in the chart below:

	Total Number	Sex		Race	
		Males	Females	White	Non-White
Children with Delinquency Complaint:					
Children with JINS Complaint:					
Other:					

11. REASON FOR REFERRAL TO SHELTER/DETENTION....Of the children in residence on February 16, 1978, please specify the reason for referral to your facility, and indicate the number of children in each category. Be sure to account for all children in your residence.

Number

(a) DELINQUENCY COMPLAINT (48-62) . . . . ____

For these children with a delinquency complaint, please specify the reason given for referral to shelter/detention:

Number

(1) Detention is necessary to secure the presence of the juvenile at the next court hearing . . . . ____

(2) The nature of the conduct charged is such that the physical safety of the community would be seriously threatened if the juvenile were not detained . . . . ____

(3) No reason given by referral source . . . ____

(4) Other (please specify) . . . . ____

____

____

Number

(b) JINS COMPLAINT (63-77, 6-11) . . . . ____

For these children with a JINS complaint, please specify the reason given for referral to shelter/detention:

Number

(1) There is no appropriate adult custodian who agrees to assume responsibility for the juvenile . . . . ____

(2) Shelter care is necessary to protect the health or safety of the juvenile . . . . ____

(3) Shelter care is necessary to secure his/her presence at the next hearing . . . . ____

(4) The physical or mental condition of the juvenile makes his/her immediate release impractical . . . . ____

(5) No reason given by referral source . . . ____

(6) Other (please specify) . . . . ____

____

____

	Number
(c) OTHER (12-56)	

For these children who have neither a delinquency nor a JINS complaint, please specify the primary reason for referral to shelter/detention:

	Number
(1) Child Abuse	
(2) Abandonment	
(3) Neglect	
(4) Hospitalization of Parent	
(5) Incarceration of Parent	
(6) No adult supervision (e.g. parent ill)	
(7) Awaiting or Between Placements	
(8) Foster Home Problems	
(9) Inadequate Housing (e.g. fire, evic.)	
(10) Violation of Probation/Parole	
(11) Diagnostic Assessment	
(12) Holding for Transfer to Another Juris.	
(13) No Reason Given by Referral Source	
(14) Other (please specify)	

12. PLANS FOR DISCHARGE (57-77)....Of the children in residence on February 16, 1978, how many are awaiting:

	Number
Out-of-Home Residential Placement:	
Return Home:	
Transfer to Correctional Facility:	
Transfer to a State Institution: (Other Than Correctional)	
Transfer to Another Jurisdiction:	
Don't Know:	
Other (specify):	

E. ADMINISTRATIVE PROBLEMS (6-7)

Please discuss any major problems you have encountered in your experience as Superintendent /Supervisor of a Detention/Shelter facility, which have hampered your ability to operate the facility effectively and provide adequate services to the youngsters.

F. STAFF CHARACTERISTICS

INSTRUCTIONS: In the chart below, please list all employees at your facility - salaried employees, unsalaried volunteers and students. We realize the chart may be somewhat confusing, so we have included a complete example for your review at the end of the questionnaire. Please be sure to answer with numbers in the appropriate boxes.

JOB TITLE/ POSITION	Staff	Time Worked			Highest Level of Education					Number in Salaried Posit.	Number in Volunteer Posit.	Number of Student Intern.
	Number On Staff	Number Full Time	Number Part Time	Number Consulting*	Number Less Than HS	Number HS Grad.	Number Some Coll.	Number BA, BS Degree	Number Grad. Degree			
Director/ Superintendent												
Business (e.g. Adm.Asst.,Acct.)												
Clerical												
Child Care Workers												
Child Care Supervisors												
Social Workers												
Teachers												
Registered Nurses												
Physicians												
Recreation Workers												
Psychiatrist												
Psychologist												
Housekeeping /Maintenance												
Other (list) (1)												
(2)												
(3)												
(4)												
(5)												
(6)												
(7)												
(8)												
(9)												
(10)												
Total Number of Employees												
Number of Empl. in Civil Serv. Pos.												

*Consulting means less than one day per week worked.

EXAMPLE:

B TITLE/ SITION	Staff: Number On Staff	Time Worked: Number Full Time	Number Part Time	Number Consul-ting*	Highest Level of Education: Number Less Than HS	Number HS Grad.	Number Some Coll.	Number BA, BS Degree	Number Grad. Degree	Number in Sal-aried Posit.	Number in Vol-unteer Posit.	Number of Student Intern.
rector/ perintendent	1	1							1	1		
siness (e.g. m.Asst.,Acct.)	2	1	1					2		2		
erical	2		2			1	1			2		
ild Care rkers	9	7	2		1	5	2	1		9		
ild Care pervisors	2	2						2		2		
cial Workers	3	1	2					1	2	2		
achers	2	1	1					2		1	1	
gistered rses	1		1					1		1		
ysicians	1		1						1	1		
creation rkers												
ychiatrist	1			1					1	1		
chologist												
usekeeping aintenance	4	2	2		1	3				4		
er (list) LIBRARIAN	2	1	1					2		2		
) ARTS AND CRAFTS TEACH.	1		1				1				1	
TEACHER AIDE	1		1			1					1	
) CHAPLAIN	1		1					1		1		
)												
)												
)												
)												
)												
)												
tal Number Employees	33											
ber of Empl. ivil Serv.Pos.	33											

*Consulting means less than one day per week worked.

EXPLANATION: In the above chart, it is noted that this facility has a total of 33 civil-service employees, of whom, for instance, 9 are child care workers. All child care workers are salaried. 7 are full-time workers and 2 are part-time. One child care worker has a ninth-grade education (i.e. less than high-school graduate), five are high-school graduates, and one has a year of college and one has three years of college (i.e. both "some college"), and one has a college degree. This facility also has four individuals in non-salaried volunteer positions, one as a social worker, one as a teacher, one as an arts/crafts teacher, and one as a teacher aide.

* * * * * * * * * * *

IF YOU HAVE ANY QUESTION CONCERNING THIS CHART, OR ANY PART OF THE QUESTIONNAIRE, PLEASE CALL JOAN BRAME, RESEARCH ASSOCIATE, AT (201) 783-7870. THANK YOU!

EXHIBIT III

CITIZENS COMMITTEE FOR CHILDREN OF NEW JERSEY
251 PARK STREET, MONTCLAIR, NEW JERSEY 07043 / (201) 783-7870

February 8, 1978

Citizens Committee for Children of New Jersey (CCCNJ) is a statewide nonprofit organization of individuals concerned about the needs and problems of children. Since its establishment in May, 1972, the Citizens Committee has been involved in a number of successful projects in the areas of community education, public policy analysis, and survey and fact-finding, which are described on the attached fact sheet.

Citizens Committee is currently engaged in a statewide study of temporary care facilities for youth under a grant from the State Law Enforcement Planning Agency (SLEPA) through Union County. The study will examine the policies and practices of shelter and detention facilities in the twenty-one counties of New Jersey, and obtain detailed information on the characteristics and needs of youngsters placed in these programs. Despite the importance of these programs, little research has been directed towards examining practices or obtaining information on children placed in the facilities. The study is being conducted under conditions of strict confidentiality and the proposed research has been approved by the New Jersey Supreme Court.

Enclosed is a copy of a questionnaire which is being sent to all forty-two JINS Shelters, Children's Shelters and Detention Facilities in New Jersey in order to obtain factual, objective data on the facilities and children. Your cooperation is requested in completing this questionnaire and returning it as soon as possible but no later than March 1st. The stamped self-addressed envelope is enclosed for your convenience. Please note that one section of the questionnaire requests you to provide information on the youngsters in your facility on Thursday, February 16, 1978, a date which was chosen at random.

In order to develop accurate conclusions about the system of temporary care, it is of utmost importance that all of the questionnaires be completed in full and returned promptly. In addition to your completed questionnaire, please enclose copies of your 1977 budget, the daily schedule for youngsters at your facility and your manual for operating procedures. These additional pieces of information, and any others that you wish to include, will aid us in understanding the overall functioning of your facility.

A summary report of the findings will be sent to each facility. It is our view that the published findings of this study will be extremely valuable to your facility and other local and state administrative agencies for planning purposes. Effective planning for these youngsters requires a comprehensive knowledge of their needs and characteristics in relation to the adequacy of available residential and community-based programs and services.

If you wish any assistance in completing the enclosed questionnaire, please contact Joan Hammond Brame, Research Associate. Every effort will be made to assist you. We look forward to receiving your completed questionnaire, 1977 budget, daily schedule and manual of operating procedures by March 1, 1978.

Thank you very much for your time and cooperation.

Sincerely,

Linda J. Wood
Executive Director

James B. Boskey
President

Enc.

DETENTION CENTERS

Revised as of 4/23/79

EXHIBIT IV

Atlantic County

Harborfields - Atlantic County Juvenile
Rehabilitation Treatment Center
Buffalo Avenue & Denver Street
Egg Harbor City, N.J. 08215

Phone: (609) 965-3583

Superintendent - John Cosby

Bergen County

Bergen County Juvenile Detention Center
East Ridgewood Avenue
Paramus, N.J. 07652

Phone: (201) 646-3130

Director - Sister Joan Filone

Burlington County

Burlington County Juvenile Detention Center
P.O. Box 256
New Lisbon, N.J. 08064

Phone: (609) 894-9207

Superintendent - Claude Masiko

Camden County

Camden County Youth Center
Blackwood - Lakeland, N.J. 08012

Phone: (609) 227-3000 Ext. 3600

Superintendent - Mary Previte

Cumberland County

Cumberland County Juvenile Center
Cumberland Road
Bridgeton, N.J. 08302

Phone: (609) 455-0717

Director - Douglas Van Sant

DETENTION CENTERS (cont)

Essex County

Essex County Youth House
70 Duryee Street
Newark, N.J. 07103

Phone: (201) 482-5510

Superintendent - Harvey Keyes

Gloucester County

Gloucester County Children's Shelter
P.O. Box 39
Clarksboro, N.J. 08020

Phone: (609) 423-3025

Superintendent - David Armor

Hudson County

Hudson County Youth House
635 County Avenue
Secaucus, N.J. 07094

Phone: (201) 864-2367

Superintendent - Joe Colford

Hunterdon County

Hunterdon County Juvenile Detention Center
c/o Hunterdon County Jail
Box 428
Flemington, N.J. 08822

Phone: (201) 782-4300 Ext. 184

Warden of the County Jail - Harold Atkinson

Mercer County

Mercer County Youth House
1430 Parkside Avenue
Trenton, N.J. 08638

Phone: (609) 989-6855

Superintendent - Philip J. Plumeri

Middlesex County

Middlesex County Juvenile Detention Home
P.O. Box 164
North Brunswick, N.J. 08902

Phone: (201) 246-6478
246-6400

Superintendent - Guy Pellicane

Monmouth County

Monmouth County Youth Detention Center
Dutch Lane Road
Freehold, N.J. 07728

Phone: (201) 431-7280

Superintendent - Kenneth Herman

Morris County

Morris County Youth Center
c/o Morris County Courthouse
Morristown, N.J. 07960

Phone: (201) 285-6265

Superintendent - Glenn Beekman

Ocean County

Ocean County Juvenile Detention Center
155 Sunset Avenue
Toms River, N.J. 08753

Phone: (201) 341-1365

Superintendent - Gary Herzog

Passaic County

Dept. of Youth Services
Oldham Road
Wayne, N.J. 07470

Phone: (201) 942-4300

Director - Martin G. Barnes

Somerset County

Somerset County Youth Receiving Center
c/o Court Administration Building
Somerville, N.J. 08876

Phone: (201) 526-2988
725-4700 Ext. 322

Superintendent - Perry Tchorni

Sussex County

Sussex County Youth Center
RD #3, Box 142
Newton, N.J. 07860

Phone: (201) 948-6000

Director - Nancy Fitzgibbons

Union County

George Herlich Juvenile Quarters
Union County Courthouse
15 Elizabethtown Plaza
Elizabeth, N.J. 07207

Phone: (201) 527-4922

Superintendent - Robert Dixon

Warren County

Warren Acres
P.O. Box 24
Oxford, N.J. 07863

Phone: (201) 453-2145

Director - Robert Sharr

Atlantic County

Atlantic County Youth Services Shelter
201 Dolphin Avenue
Northfield, N.J. 08225

Phone: (609) 646-0255

Supervisor - Stephen H. Paul

Bergen County

Edna B. Conklin JINS Shelter
125 Essex Street
Hackensack, N.J. 07602

Phone: (201) 646-2756

Supervisor - William Tonks

Burlington County

Burlington County JINS Shelter
P.O. Box 186
New Lisbon, N.J. 08064

Phone: (609) 894-9066

Superintendent - Claude Masiko

Camden County

Camden County Childrens Shelter
Administration Building
Camden County Complex
Lakeland-Blackwood, N.J. 08012

Phone: (609) 963-3040 Ext. 421

Superintendent - Mary Previte

Cape May County

Cape May County JINS Shelter
Central Mail Room
Crest Haven Complex
Cape May Courthouse
Cape May, N.J. 08210

Phone: (609) 465-5045

Director - Ernest Campbell

Cumberland County

Cumberland County JINS Shelter
Cumberland Road
Bridgeton, N.J. 08302

Phone: (609) 455-3055

Assistant Superintendent - Patricia Wolak

Essex County

Essex County JINS Shelter
Box #936
Cedar Grove, N.J. 07009

Phone: (201) 857-0807

Coordinator - Larry Butler

Hudson County

Hudson County Youth Shelter
114 Clifton Place
Jersey City, N.J. 07304

Phone: (201) 451-5815

Supervisor - Dennis Woods

Mercer County

Trenton YMCA - JINS Program
2 South Clinton Avenue
Trenton, N.J. 08609

Phone: (609) 394-7774

Director - Robert Barton

Mercer County

Trenton YWCA - JINS Program
140 East Hanover Street
Trenton, N.J. 08608

Phone: (609) 396-5666

Director - Helene Monte

Middlesex County

Middlesex County JINS Shelter
21 Remsen Avenue
New Brunswick, N.J. 08901

Phone: (201) 246-4151

Assistant Director - Jospeh Costa

Monmouth County -(New)

Monmouth County JINS Shelter - Girls
Hospital Road
Allenwood, N.J. 08720

Phone: (201) 938-6266

Director - Myrna Klein

Monmouth County -(Old)

Monmouth County JINS Shelter
Collier School
Conover Road
Wickatunk, N.J. 07765

Phone: (201) 946-4771

Director - Sister Carol Beairsto

Monmouth County

Monmouth Boy's Club - JINS Shelter
1201 Monroe Avenue
Asbury Park, N.J. 07712

Phone: (201) 988-0111

Director - Herb Seldman

Morris County

Morris County Youth Shelter
c/o Morris County Courthouse
Morristown, N.J. 07960

Phone: (201) 285-6608

Director - James Hennessey

Ocean County

Ocean County Juvenile Shelter
155 Sunset Avenue
Toms River, N.J. 08753

Phone: (201) 341-1365

Superintendent - Gary Herzog

Passaic County

Dept. of Youth Services - JINS
Valleyview Road
Haledon, N.J. 07508

Phone: (201) 595-8978

Administrator - Al Moody

Salem County

Salem County JINS Shelter
RD #2 Woodstown - Salem Road
Woodstown, N.J. 08098

Phone: (609) 769-0528

Administrator - Dennis Davenport

Somerset County

Somerset Home for Temporarily Displaced Children
49 Brahma Avenue
Bridgewater, N.J. 08807

Phone: (201) 526-6605

Director - Vicky Gurski

Union County

Union County JINS Shelter
1052 Plainfield Avenue
Berkeley Heights, N.J. 07922

Phone: (201) 322-6565

Supervisor - Darryl Hatchett

CHILDRENS SHELTERS Revised as of 4/23/79

Bergen County

Dept. of Residential and Community Youth Services
Edna B. Conklin Child Welfare Home
125 Essex Street
Hackensack, N.J. 07601

Phone: (201) 646-2756

Acting Superintendent - William Tonks

Essex County

Essex County Childrens Shelter
Belleville, N.J. 07109

Phone: (201) 751-7666

Asst. Superintendent - Joseph Petrillo

Hudson County

Jersey City Childrens Shelter
c/o Jersey City Welfare Dept.
50 Baldwin Avenue
Jersey City, N.J. 07304

Phone: (201) 451-9800 Ext. 2484

Superintendent - Helen German (Ext. 2489)

Morris County

Morris County Welfare Dept.
Hall of Records
Court Street
Morristown, N.J. 07960

Phone: (201) 285-6311

Director: Celeste Kalina

Passaic County

Passaic County Childrens Shelter
Unit One
Valleyview Road
Haledon, N.J. 07508

Phone: (201) 595-8978

Administrator - Al Moody

CHILDRENS SHELTERS - (cont)

Union County

Dube Childrens Shelter
1052 Plainfield Avenue
Berkeley Heights, N.J. 07922

Phone: (201) 322-4628

Supervisor - Marian Thomas

EXHIBIT V

NEW JERSEY DEPARTMENT OF CIVIL SERVICE

DIVISION OF CLASSIFICATION AND COMPENSATION

YOUTH WORKER TRAINEE

DEFINITION

Under direction of a Youth Work Supervisor or other supervisor in a Children's Residential Center, Detention Facility or Group Home under jurisdiction of the Division of Youth and Family Services, Department of Institutions and Agencies, as trainee and productive worker, has the direct responsibility to learn to plan and carry out appropriate programs related to the activities of daily living in such a manner as to guarantee the welfare and safety of the child and to maximize opportunity for the emotional, social and educational advancement of the individual child; does related work as required.

EXAMPLES OF WORK

As trainee and productive worker:

Attends training meetings on subjects related to the skills, attitudes and knowledge necessary to the performance of his job;

Assists in the social training and counseling of residents and resolves minor problems of discipline and resident management; refers more serious problems of resident management through appropriate channels in the facility;

Under direction, utilizes all aspects of resident activities and teaches in a manner designed to provide skills, knowledge and attitudes necessary for maximum adaptation to accepted standards of behavior;

Supervises and controls group activities in a manner to assure the safety and welfare of all residents;

Through supervision and teaching, instills acceptable attitudes and methods of personal grooming and hygiene;

Assists in planning, organizing and implementation of recreational and other activities on both a group and individual basis;

Under supervision, assists in management of group meetings designed for the purpose of meeting a prescribed objective of re-education and personal adjustment;

Explains and interprets the rules, regulations and customs of the Center;

Provides group and individual instruction in matters relative to resident living activities;

Assigns and supervises [illegible] activities in accordance with Center procedures;

Assists with the supervision of household activities in such a way as to ensure suitable standards of order, cleanliness, safety and proper care of furnishings and equipment;

Attends interdisciplinary meetings and contributes clear, objective and meaningful information concerning the child's progress in resident living programs;

Works and communicates effectively with staff of other departments assigned to the Unit regarding resident problems activities and progress; assists in interdepartmental activities of program planning and implementation;

Assists in recording reports and maintaining a system of records conductive to a full understanding of the residents' needs and progress; maintains records necessary to restriction and reqard program in a clear, complete and objective manner.

REQUIREMENTS

License

Appointees may be required to possesa valid driver's license issued by the New Jersey Division of Motor Vehicles.

Knowledges and Abilities

Ability to maintain a attitude of objectivity and open-mindedness concerning approaches and methods of dealing with childrens' problems and a high degree of desire and willingness to learn new attitudes, skills and knowledge.

Some knowledge of basic human behavior and problems of group living.

Ability to understand somewhat complex concepts of human behavior and to apply such concepts to everyday practice.

Ability to read, write, speak and understand English sufficiently to perform the duties of this position.

Basic knowledge of accepted practices of social behavior and simple etiquette and ability to teach these principles through example.

Ability to understand behavior in context other than that familiar to the employees' own background.

Ability to think clearly and act appropriately in an emergency or potentially dangerous situation.

Ability to speak clearly and effectively on issues of some complexity.

Ability to work cooperatively and harmoniously with supervisor, co-workers and residents.

Some knowledge of the rules and equipment used in popular games and sports.

Good health and freedom from disabling physical and mental defects which would impair the proper performance of the required duties or which might endanger the health and safety of oneself or others.

Promotion

Appointees who successfully complete the twelve month training period will be eligible for promotion to the title, Youth Worker under Civil Service procedure.

The inability of an employee to attain a level of performance warranting promotion to the title listed above shall be considered as cause for separation.

Range: $7,689 Code: N99-66001 8-25-76

EXHIBIT VI

New Jersey's Juvenile Code

2A:4-42. Purposes

This act shall be construed so as to effectuate the following purposes:

a. To preserve the unity of the family whenever possible and to provide for the care, protection, and wholesome mental and physical development of juveniles coming within the provisions of this act;

b. Consistent with the protection of the public interest, to remove from children committing delinquent acts certain statutory consequences of criminal behavior, and to substitute therefor an adequate program of supervision, care and rehabilitation;

c. To separate juveniles from the family environment only when necessary for their health, safety or welfare or in the interests of public safety.

2A:4-43. General definitions

As used in this act:

a. "Juvenile" means an individual who is under the age of 18 years.

b. "Adult" means an individual 18 years of age or older.

c. "Detention" means the temporary care of juveniles in physically restricting facilities pending court disposition.

d. "Shelter care" means the temporary care of juveniles in facilities without physical restriction pending court disposition.

e. "Commit" means to transfer legal custody to an institution.

f. "Guardian" means a person, other than a parent, to whom legal custody of the child has been given by court order or who is acting in the place of the parent.

2A:4-44. Definition of delinquency

As used in this act, "delinquency" means the commission of an act by a juvenile which if committed by an adult would constitute:

a. A homicide or act of treason;

b. A high misdemeanor or misdemeanor;

c. A disorderly persons offense; or

d. A violation of any other penal statute, ordinance or regulation.

But, the commission of an act which constitutes a violation of chapters 3, 4, 6 or 8 of Title 39, Motor Vehicles, of the Revised Statutes, or of any amendment or supplement thereof, by a juvenile of or over the age of 17 years shall not constitute delinquency as defined in this act.

2A:4-45. Definition of "juvenile in need of supervision"

As used in this act, "juvenile in need of supervision" means:

a. A juvenile who is habitually disobedient to his parent or guardian;

b. A juvenile who is ungovernable or incorrigible;

c. A juvenile who is habitually and voluntarily truant from school; or

d. A juvenile who has committed an offense or violation of a statute or ordinance applicable only to juveniles.

Evidence of conduct which is ungovernable or incorrigible may include but shall not be limited to:

(1) habitual vagrancy,

(2) immorality,

(3) knowingly visiting gambling places, or patronizing other places or establishments, the juvenile's admission to which constitutes a violation of law,

(4) habitual idle roaming of the streets at night,

(5) deportment which endangers the juvenile's own morals, health or general welfare.

2A:4-46. Exclusive jurisdiction of juvenile and domestic relations court

a. Except as stated in sections [2A:4-48] and [2A:4-49] of this act, the juvenile and domestic relations court shall have exclusive jurisdiction in all cases where it is charged that a juvenile has committed an act of delinquency or is in need of supervision.

b. The juvenile and domestic relations court shall have jurisdiction in respect to the custody of any juvenile who may be held as a material witness in any case pending in the juvenile and domestic relations court. Whenever a juvenile is a material witness in any other court, the procedures established by this act shall be followed.

c. Nothing in this act shall affect the jurisdiction of other courts over offenses committed after a juvenile under the jurisdiction of the juvenile and domestic relations court reaches the age of 18 years.

2A:4-47. Transfer from other courts

Except as provided in section [2A:4-44], and unless jurisdiction has been waived under section [2A:4-48], if during the pendency in any other court of a case charging a person with a crime, offense or violation, it is ascertained that such person was a juvenile at the time of the crime, offense or violation charged, such court shall immediately transfer such case to the juvenile and domestic relations court having jurisdiction. The juvenile and domestic relations court shall thereupon proceed in the same manner as if the case had been instituted in that court in the first instance.

2A:4-48. Referral to other court without juvenile's consent

The juvenile and domestic relations court may, without the consent of the juvenile, waive jurisdiction over a case and refer that case to the appropriate court and prosecuting authority having jurisdiction if it finds, after hearing, that:

a. The juvenile was 16 years of age or older at the time of the charged delinquent act;

b. There is probable cause to believe that the juvenile committed a delinquent act which would constitute homicide, treason if committed by an adult or committed an offense against the person in an aggressive, violent and willful manner or committed a delinquent act which would have been a violation of section 19 of the Controlled Dangerous Substances Act (P.L. 1970, c. 226; C. 24:21-19) if committed by an adult and the juvenile, at the time he committed the act, was not addicted to a narcotic drug as that term is defined in section 2 of the Controlled Dangerous Substances Act (P.L. 1970, c. 226; C. 24:21-2); and

c. The court is satisfied that adequate protection of the public requires waiver and is satisfied there are no reasonable prospects for rehabilitation of the juvenile prior to his attaining the age of majority by use of the procedures, services and facilities available to the court.

2A:4-49. Referral to other court at election of juvenile

Any juvenile, 16 years of age or older, charged with delinquency may elect to have the case transferred to the appropriate court having jurisdiction.

2A:4-50. Effect of referral to other court

Whenever a case is referred to another court as provided by section [2A:4-48] or [2A:4-49], that case shall thereafter proceed in the same manner as if the case had been instituted in that court in the first instance.

2A:4-51. Use of juvenile's testimony at referral hearing

No testimony of a juvenile at a hearing pursuant to section [2A:4-48] shall be admissible for any purpose in any hearing to determine delinquency or guilt of any offense.

2A:4-52. Retention of jurisdiction

a. The court shall retain jurisdiction over any case in which it has entered a disposition under subsections g. or h. of section [2A:4-61] for the duration of that disposition and may at any time, in accordance with the Rules of Court, reconsider the disposition of commitment and substitute any disposition available to it under section [2A:4-61], other than under subsection h. of section [2A:4-61].

b. The juvenile and domestic relations court shall retain jurisdiction over any case in which it has entered a disposition under subsection c. of section [2A:4-61] or section [2A:4-62] and may at any time for the duration of that disposition, if after hearing, it finds violation of the conditions of the order of disposition, substitute any other disposition which it might have made originally.

c. The juvenile and domestic relations court may by its order retain jurisdiction in any other case.

2A:4-53. Complaints

a. Complaints charging delinquency may be signed by any person who has knowledge of the facts alleged to constitute delinquency or is informed of such facts and believes that they are true.

b. Complaints charging that a juvenile is in need of supervision may be signed by any of the following: a representative of a public or private agency authorized to provide care or supervision of juveniles; a representative of a public or private agency providing social services for families or children: a school official; a law enforcement, correction or probation officer; or a parent or guardian.

c. Complaints shall be in such form as prescribed by the Rules of Court.

2A:4-54. Taking into custody

a. A juvenile may be taken into custody:

(1) Pursuant to an order or warrant of the juvenile and domestic relations court or other court having jurisdiction; or

(2) For delinquency, when there has been no process issued by a court, a law enforcement officer may take any juvenile into custody without process, pursuant to the laws of arrest and the Rules of Court.

b. A juvenile may be taken into custody if the law enforcement officer has reasonable cause to believe that the juvenile is in need of supervision.

c. The taking of a juvenile into custody shall not be construed as an arrest, but shall be deemed a measure to protect the health, morals and well being of the juvenile.

2A:4-55. Release from custody; notice to parents

a. Any person taking a juvenile into custody shall immediately notify the parents, or the juvenile's guardian, if any, that the juvenile has been taken into custody.

b. A person taking a juvenile into custody shall comply with the Rules of Court relating thereto.

2A:4-56. Criteria for placing juvenile in detention or shelter care

a. Where it will not adversely affect the health, safety or welfare of a juvenile, he or she shall be released pending the disposition of a case to one or both parents or guardian, if any, upon assurance being received that such responsible person or persons accept responsibility for the juvenile and will bring him before the juvenile and domestic relations court as ordered.

b. A juvenile charged with delinquency may not be placed or retained in detention under this act prior to disposition, except as otherwise provided by law, unless:

(1) Detention is necessary to secure the presence of the juvenile at the next hearing; or

(2) The nature of the conduct charged is such that the physical safety of the community would be seriously threatened if the juvenile were not detained.

c. A juvenile may not be placed or retained in shelter care prior to disposition unless:

(1) There is no appropriate adult custodian who agrees to assume responsibility for the juvenile, and the release on the basis of a summons to the juvenile is not appropriate; or

(2) Shelter care is necessary to protect the health or safety of the juvenile; or

(3) Shelter care is necessary to secure his presence at the next hearing; or

(4) The physical or mental condition of the juvenile makes his immediate release impractical.

2A:4-57. Place of detention or shelter

a. The State Department of Institutions and Agencies shall specify the place where:

(1) A juvenile may be detained; and

(2) Where a juvenile may be placed in shelter.

b. No juvenile shall be placed in detention or shelter care in any place other than that specified by the State Department of Institutions and Agencies as provided in a. (1) and (2) above.

c. A juvenile, being held for a charge under this act, shall not be placed in any prison, jail or lockup nor detained in any police station, except that if no other facility is reasonably available a juvenile may be held in a police station in a place other than one designed for the detention of prisoners and apart from any adult charged with or convicted of crime for a brief period if such holding is necessary to allow release to his parent, guardian, other suitable person, or approved facility.

2A:4-58. Detention or shelter care hearing

a. When a juvenile is taken into custody a complaint shall be filed forthwith as provided by the Rules of Court. The juvenile and domestic relations court shall determine whether detention or shelter care is required.

b. Notice of the detention or shelter care hearing, either oral or written, stating the time, place, and purpose of the hearing shall be given to the juvenile and to his or her parent or parents, or guardian, if any, if they can be found.

c. The detention or shelter care hearing shall be conducted in accordance with the Rules of Court and shall be attended by the juvenile and one or both parents, or guardian, but may take place in the absence of parent or guardian if such notice or process fails to produce their attendance.

d. When the judge finds that detention or shelter care is not necessary or required, the court shall order the juvenile's release and may place such conditions, if any, upon release as are consistent with the purposes of this act and the Rules of Court.

2A:4-59. Right to counsel

A juvenile shall have the right to be represented by counsel at every critical stage in the proceeding as provided by the Rules of Court.

2A:4-60. No jury trial for juveniles

All defenses available to an adult charged with a crime, offense or violation shall be available to a juvenile charged with committing an act of delinquency.

All cases arising under this act not referred as provided by sections [2A:4-48] or [2A:4-49] shall be heard and decided by the juvenile and domestic relations court without a jury. The right to be secure from unreasonable searches and seizures, the right not to be placed twice in jeopardy for the same offense, and the right of due process of law shall be applicable in cases arising under this act as in cases of persons charged with crime.

2A:4-61. Disposition of delinquency cases

If a juvenile is adjudged delinquent the juvenile and domestic relations court may order any of the following dispositions:

a. Adjourn formal entry of disposition of the case for a period not to exceed 12 months for the purpose of determining whether the juvenile makes a satisfactory adjustment, and if during the period of continuance the juvenile makes such an adjustment, dismiss the complaint; or

b. Release the juvenile to the supervision of his or her parent or guardian; or

c. Place the juvenile on probation to the chief probation officer of the county or to any other suitable person who agrees to accept the duty of probation supervision for a period not to exceed 3 years upon such written conditions as the court deems will aid rehabilitation of the juvenile; or

d. Transfer custody of the juvenile to any relative or other person determined by the probation department to be qualified to care for the juvenile; or

e. Place the juvenile under the care of the Division of Youth and Family Services pursuant to P.L. 1951, c. 138, s. 2(c) (C. 30:4C-2(c)).

f. Place the juvenile under the care and custody of the Commissioner of the Department of Institutions and Agencies for the purpose of receiving the services of the Division of Mental Retardation of that department, provided that the juvenile has been determined to be eligible for those services under P.L. 1965, c. 59, s. 16 (C. 30:4-25.4); or

g. Commit the juvenile to a suitable institution for the treatment of mental illness if after hearing it is determined from psychiatric evidence that the juvenile does or may constitute a danger to himself or to other persons if not so committed; or

h. Commit the juvenile to a suitable institution maintained for the rehabilitation of delinquents for an indeterminate term not to exceed 3 years; except, that, any time an adjudication of juvenile delinquency is predicated upon an offense which, if committed by a person of the age of 18 years or over would constitute any form of homicide as defined in N.J.S.A. 2A:113-1, 2A:113-2, 2A:113-4 or 2A:113-5 then the period of confinement shall be indeterminate and shall continue until the appropriate paroling authority determines that such person should be paroled; and, except that in any case the period of confinement and parole shall not exceed the maximum provided by law for such offense if committed by a person of the age of 18 years or over.

Any juvenile committed under this act who is released on parole prior to the expiration of his maximum term may be retained under parole supervision for a period not exceeding the unserved portion of the term.

i. Such other disposition not inconsistent with this act as the court may determine.

2A:4-62. Disposition of cases of juveniles in need of supervision

a. If a juvenile is adjudged to be in need of supervision the juvenile and domestic relations court may order any disposition provided for in the disposition of delinquency cases, except subsection h. of section 2A:4-61.

b. No juvenile in need of supervision shall be committed to or placed in any institution or facility established for the care of delinquent children or in any facility, other than an institution for the mentally retarded, a mental hospital or facility for the care of persons addicted to controlled dangerous substances, which physically restricts such juvenile committed to or placed in it.

2A:4-63. Termination of orders of disposition

Any order of disposition entered in a case under this act shall terminate when the juvenile who is the subject of the order attains the age of 18, or 1 year from the date of the order whichever is later unless such order is pursuant to subsection h. of section [2A:4-61] or is sooner terminated by its terms or by order of the juvenile and domestic relations court.

2A:4-64. Effect of disposition

No disposition under this act shall operate to impose any of the civil disabilities ordinarily imposed by virtue of a criminal conviction, nor shall a juvenile be deemed a criminal by reason of such disposition.

The disposition of a case under this act shall not be admissible against the juvenile in any criminal or penal case or proceeding in any other court except for consideration in sentencing.

2A:4-65. Disclosure of juvenile records; penalties for disclosure

a. Social, medical, psychological, legal and other records of the court and probation department, and records of law enforcement agencies, pertaining to juveniles charged under this act, shall be strictly safeguarded from public inspection. Such records shall be made available only to:

(1) Any court or probation department;

(2) The Attorney General or county prosecutor;

(3) The parents or guardian and to the attorney of the juvenile;

(4) The Division of Youth and Family Services, if providing care or custody of the juvenile;

(5) Any institution to which the juvenile is currently committed; and

(6) Any person or agency interested in a case or in the work of the agency keeping the records, by order of the court for good cause shown.

b. Whoever, except as provided by law, knowingly discloses, publishes, receives, or makes use of or knowingly permits the unauthorized use of information concerning a particular juvenile derived from records listed in subsection a. or acquired in the course of court proceedings, probation, or police duties, shall, upon conviction thereof, be guilty of a disorderly person's offense.

2A:4-66. Fingerprints, photographs of juveniles

a. Fingerprints of a juvenile under age 16 may be taken only in the following circumstances:

(1) Where latent fingerprints are found during the investigation of an offense and a law enforcement officer has reason to believe that they are those of a juvenile, he may fingerprint the juvenile for the purpose of comparison

with the latent fingerprints.

(2) Where a juvenile is detained in or committed to an institution, that institution may fingerprint the juvenile for the purpose of identification.

b. All records or copies of the fingerprints of juveniles shall be retained by the department, agency or institution taking them and shall be forwarded to the court for destruction when the court determines that the purpose for the taking of the fingerprints has been fulfilled, except that fingerprints taken of a juvenile of more than 16 years of age may be retained by a law enforcement agency for criminal identification purposes if such juvenile is adjudged delinquent.

c. No juvenile under the age of 16 shall be photographed for criminal identification purposes without the consent of the juvenile and domestic relations court.

2A:4-67. Sealing of records

a. On motion of a person who has been the subject of a complaint filed under this act or on its own motion, the juvenile and domestic relations court may vacate its order and findings and order the nondisclosure of social, medical, psychological, legal and other records of the court and probation services, and records of law enforcement agencies if it finds:

(1) Two years have elapsed since the final discharge of the person from legal custody or supervision, or 2 years have elapsed after the entry of any other court order not involving custody or supervision; and

(2) He has not been convicted of a crime, or a disorderly person's offense or adjudged delinquent, or in need of supervision, during the 2 years prior to

the filing of the motion, and no proceeding or complaint is pending seeking such conviction or adjudication.

b. In any case wherein an adjudication has been entered upon the status of a juvenile under 18 years of age, and said juvenile intends to enlist in any branch of the Armed Forces of the United States, he may at any time after the date of such adjudication present a duly verified petition to the court wherein such adjudication was entered, setting forth all the facts in the matter, including his intention to enlist in said armed forces, and praying for the relief provided in this section and subject to the limitations hereinafter provided in this section, an order may be granted to seal all the records concerning such adjudication including records of the court, probation services and law enforcement agencies.

c. Reasonable written notice of the motion shall be given to:

(1) The Attorney General and the county prosecutor;

(2) The authority granting the discharge if the final discharge was from an institution, parole, or probation; and

(3) The law enforcement office, department, and central depository having custody of the files and records if such files and records are included in the motion.

d. Upon the entry of the order, the proceedings in the case shall be sealed and all index references shall be marked "not available" or "no record" and law enforcement officers and departments shall reply and the person may reply to any inquiry that there is no record with respect to such person, except that records may be maintained for purposes of prior offender status. This section shall not apply to reports required under the Controlled Dangerous Substances Registry Act of 1970, P.L. 1970, c. 227 (C. 26:2G-17 et seq.). Copies of the order shall be sent to each agency or official named therein.

Inspection of the files and records included in the order may thereafter be permitted by the court only upon motion and only to those persons named in the motion; provided, however, the court, in its discretion, may by special order in an individual case permit inspection by or release of information in the records to any clinic, hospital, or agency which has the person under care or treatment or to individuals or agencies engaged in fact-finding or research.

e. Any adjudication of delinquency or in need of supervision or conviction of a crime subsequent to sealing shall have the effect of nullifying the sealing order.

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CHILDREN IN DETENTION AND SHELTER CARE
Surveying The System In New Jersey

ERRATA

Please note the following corrections on the pages indicated:

Page 23 Table 4

For "All Temporary Care Facilities", the data for white youth is 5880 (47.2%) and for non-white is 6574 (52.8%). The figures on the graph are transposed.

Page 65 and 68 Tables 24 and 25

These tables are out of sequence. Table 25 appears on page 65 and Table 24 is on page 68.

Formerly CHILD SERVICE ASSOCIATION and CITIZENS COMMITTEE FOR CHILDREN OF NEW JERSEY